Learning from History—

Many of the tensions between and among churches—and Christians themselves—can be traced to the different, even conflicting, positions they take on important ethical issues that face the churches and society.

Yet, as history demonstrates, the traditions themselves grow, develop, and even reverse their convictions and authoritative teaching about matters of ethics. In this volume, that historical dynamism is opened and probed for clues about the occasions for and criteria of changes within traditions. Here expert historians, theologians, and ethicists insightfully examine, for example, usury, slavery, marriage, suicide, as well as freedom of religion, apartheid, and involvement in war and in peace. They show how over the centuries, individual traditions have deepened, developed, and occasionally, overturned their teaching in pursuit of a more authentic moral discipleship.

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Churches and Moral Discernment
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Volume 2

Learning from History

Edited by Myriam Wijlens, Vladimir Shmaliy, and Simone Sinn

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Amid an increasingly complex world, in which people of different churches live beside and with each other and in which faithful belonging to the same church live in rather diverse contexts around the globe, churches are confronted with new moral and ethical questions. The need for reflection on a given moral position then arises. Yet, it might lead to major tensions between the churches and/or within them. When discerning the matter, some arrive at a modified position and sometimes even change, whereas others believe that this is not necessary or indeed possible. Sooner or later the different outcomes might become a threat to an existing unity or prevent the restoration of Christian unity. At times there are heated debates and possible divisions, which take a toll on being a credible, faithful, and effective witness to Christ in this world. Churches might feel overwhelmed by this situation and wonder what can be done to prevent divisions or overcome them in order to grow in unity. How, they ask, can koinonia, a deep communion, be built?

The Faith and Order Commission of the World Council of Churches has had the topic of moral discernment in the churches on its agenda from the 1980s onward. In 2013 it published Moral Discernment in the Churches: A Study Document (MDC), which focuses on moral discernment processes as such. The MDC study attends to different sources and factors that come into play when people or churches engage in a moral discernment process. The purpose was to identify different sources and factors that play a role in a discernment process and to see how they might have an impact on the outcome of the process. The study was merely descriptive.

In 2015 the Faith and Order Commission decided to continue its reflection on moral discernment processes. The intention was, again, not to engage in a discernment process on a specific moral or ethical topic. Rather, the purpose was to facilitate a better understanding for and within churches of how a moral

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discernment process occurs within the churches. The hope would be that a better understanding of that process might provide for learning from and listening to each other, allowing for engaging in a dialogue on a specific moral issue. Two study projects were set out: As the current study group began its work in 2015, it first invited self-descriptions from different church traditions in order to foster knowledge of and familiarity with moral discernment processes in different churches. The first volume of this series of three thus carries the subtitle: “Learning from Traditions” and presents the self-description of 14 traditions.² Secondly, the group decided to investigate what churches can learn from moral discernment processes that occurred within different churches over the course of history. The current volume, subtitled “Learning from History,” documents this investigation. It brings together 19 research articles in seven different thematic areas of moral discernment.

By analyzing concrete examples from the past, an increased understanding of similarities and differences in moral discernment processes can be developed. The examples were chosen because they reflect different kinds of discernment processes and different kinds of changes. The authors were invited not only to explain the result of the respective discernment process, but also to pay particular attention to the sources and ways of Christian moral discernment that played a significant role during the discernment process. A number of questions were to guide their study: What triggered a tradition to engage in a process of reconsidering a moral position? How did that process evolve? How was the argument built? What elements played a role? How did it come about? Who was involved in the decision making? What authority did these persons have? And since change does not come overnight: What helped the tradition to avoid division as the change occurred over a certain period of time? In responding to these questions, it was suggested to use the MDC study as a guide. Again, the method was analytical and descriptive, not normative.

The authors of the studies were in particular chosen because of their expertise on the subject matter, not primarily because of the tradition to which they belong. Some are either members of the Faith and Order Commission or are scholars who were invited after consultation with members of their tradition on the commission. It is important to underscore that the studies in this volume reflect the views of the authors themselves. They do not necessarily reflect the position of the members of the commission. It might be that other scholars would present a somewhat different report.

² Myriam Wijlens and Vladimir Shmaliy, eds., Churches and Moral Discernment, volume 1: Learning from Traditions, Faith and Order Paper No. 228 (Geneva: WCC Publications, 2021). The preface to this first volume introduces the trajectory of the Faith and Order work in the area of moral discernment since the 1980s.
The Faith and Order study group attended to these papers in several sessions. The first research articles on historical examples were presented at the Faith and Order consultation “The Role of Authority in Moral Discernment” in Erfurt, Germany, in July 2016. The Faith and Order Commission meeting in South Africa in 2017 affirmed the plans of the study group to solicit more research papers on examples of moral discernment in the churches that are of historic significance. The study group aimed at comparing moral discernment processes in different areas of moral teaching and different church traditions.

The Faith and Order study group meeting in Kuala Lumpur, Malaysia, in March 2018 discussed and analyzed the contributions. First outcomes from the analysis of these historical examples were discussed in October 2018 in Frankfurt and in March 2019 in Stuttgart, Germany. After an initial report to the full commission in Nanjing, China, in 2019, a further meeting of the study group was held at Bossey, Switzerland, in January 2020, followed by a number of online meetings during the fall of 2020. The results from the study process from 2015 to 2021 will be presented to the next Faith and Order Commission meeting in 2021 in a study document called “Churches and Moral Discernment: Facilitating Dialogue to Build Koinonia.” That document will present a tool that intends to facilitate a dialogue on moral discernment to build koinonia. In that document, reference will be made to the examples published in the current volume. They will elucidate specific aspects of change in the moral discernment process, thus also ensuring that the final document is not merely theoretical. It is hoped that the illustrations, as well as the studies published in the current volume, will awaken an interest among the faithful of different churches to learn from the past and from each other so as to engage in constructive dialogue in the future.

This volume would not have been possible without the selfless contribution of the many scholars who devoted their time to write the studies and discuss them intensely with the members of the study group. The Faith and Order Commission owes them immense gratitude.

A word of thanks is to also be extended to all the members of the Faith and Order study group on moral discernment for their commitment to engage


constructively in this joint ecumenical endeavour. Investigating these examples showed the complexity and multi-layered processes with regard to moral issues and the calling to maintaining ecclesial coherence. The study group engaged in intensive conversation on the relationship of continuity and change in moral discernment processes in the churches.

Deeply indebted is the Faith and Order Commission to Michael West, who diligently coordinated the publication process for the volumes in this series from the side of WCC Publications, and Alexander Freeman-Diem for his meticulous proofreading.
Introduction

Simone Sinn

Learning from History

In each specific time and place in history, churches live out the promise and calling entrusted to them by the Triune God, by engaging with the joys and the sorrows, the questions and concerns of the people in light of the gospel message. In view of new developments and reconfigurations in the economic, cultural, political, scientific, or legal spheres in society, churches have entered into discernment processes on different levels. In the history of the churches, there have been significant moral discernment processes in which the churches engaged with a vital moral question that required clarification. Such wrestling helped to provide deeper understanding of the issues at stake among the faithful, and in pivotal questions such discernment processes left a mark on ecclesial self-understanding.

It has become an important ecumenical task of churches to share with one another in what ways they undertake moral discernment in order to facilitate mutual understanding. Moreover, studying historical examples of moral discernment reveals how churches at their specific time and place aimed at fostering authentic moral life grounded in Christian faith. In order to deepen ecumenical reflection on churches and moral discernment, the Faith and Order Commission of the World Council of Churches (WCC) decided to include a long-term view in their current study process on moral discernment.

Discernment processes in churches were often complex and took considerable time to be resolved, as many if not all parts of the church were affected and involved. In most cases, the moral questions not only touched upon common life in society, but also the life of the churches. Apartheid is an obvious example. In the economic sphere, a case in point is moral discernment on usury, which directly affected the economic and the diaconal activities of the churches. Moral

1. *The Church: Towards a Common Vision*, Faith and Order Paper No. 214 (Geneva: WCC Publications 2013), para 63, acknowledges that churches have wrestled with tensions about moral issues throughout history: “While tensions about moral issues have always been a concern for the Church, in the world of today, philosophical, social and cultural developments have led to the rethinking of many moral norms, causing new conflicts over moral principles and ethical questions to affect the unity of the churches.”
discernment processes often included very painful controversies, as the example of churches’ teaching on Christian involvement in military activity shows.

**Approach and Aim of This Study Process**

This volume with 19 research articles on historical examples of churches’ moral discernment processes is a uniquely rich collection. The ecclesial traditions studied in this book range from Oriental Orthodox traditions, Eastern Orthodox, Roman Catholic, Anglican to diverse Protestant traditions. These studies were commissioned by the Faith and Order Commission as part of its work on moral discernment. After the study group on moral discernment had explored a few historical examples in its consultation in 2016, the Faith and Order Commission meeting in South Africa in 2017 affirmed the proposal of the study group “to solicit and analyze additional historical examples of moral discernment—especially such demonstrating a change in a church’s position on a moral issue.”

Most of the papers of this publication were presented and discussed during a Faith and Order study group consultation in Kuala Lumpur, Malaysia, in March 2018. The authors of the studies are church historians, ethicists, and theologians with specific expertise in the respective topic. They are members of the Faith and Order Commission or are recommended by a member from their respective tradition. Nevertheless, it must be stated that the studies in this volume express solely the views of their authors and do not express the views of the editors or the Faith and Order Commission.

The examples of moral discernment were chosen because they are known to have involved a re-examination of teaching on a moral issue. In the investigation of each topic, the authors were invited to analyze what necessitated re-examination of the moral issue at stake. The authors identified the actors contributing to the moral discernment process, and they studied which aspects and arguments these actors discussed. Moreover, the analysis included attention to the question of how the actors dealt with disagreements and challenges to church unity. Finally, the Faith and Order study group asked the authors: What can churches learn from the past?

Attention was given to the question as to how the respective tradition was able to preserve unity within its own tradition and how it possibly did not threaten the already existing unity with other traditions. This current volume also includes historical examples of when churches saw the painful necessity to separate in order to protect the integrity of the gospel message. Examples of such experiences can be seen in the struggle to delegitimize slavery in British

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Colonial America, or in the Church Struggle in the time of the Nazi regime in Germany in the 20th century, which led to the awareness of a *status confessionis* and the formation of the Confessing Church.

The Faith and Order study group noted that modifications or changes in moral teaching in some areas are perceived to be unity-threatening while in others they are not, or they might be unity-threatening in one tradition but not in another. Furthermore, the study group learned that many traditions might have held one position on a specific topic at one time, and they shared a common but different position at a later time, but the argumentation leading to the new position might differ greatly. Studies on usury in this volume exhibit this phenomenon.

The Faith and Order study group on moral discernment decided to analyze historical examples in seven distinct areas of Christian ethics to cover a broad range of moral discernment processes. The first section deals with the field of economic ethics and focusses on moral discernment in relation to the prohibition of usury. The second section provides studies on the churches’ involvement in legitimizing or in resisting slavery. The relationship between church, state, and society is investigated in the following, third section. Distinctly different Christian approaches to war and nonviolence are explored in the fourth section. The subsequent chapter analyzes the introduction of choirs for women in the liturgy in the Syriac tradition. The sixth section examines specific moral questions with regard to marriage, in particular the use of contraception, polygamy, and interfaith marriages. The final section deals with Christian moral discernment on suicide and its impact on having a funeral service.

**Thematic Areas in This Study Process**

**Significant Shift in Moral Teaching on Usury**

Prohibition of usury has been a core tenet in Christian moral teaching, based on biblical verses that clearly condemn usury. Over time, a significant shift in the understanding of usury took place as the first three studies in this volume on the developments in the Roman Catholic Church, the Orthodox tradition, as well in John Calvin’s moral teaching show. The moral discernment process in each tradition has a distinct trajectory; the outcome, however, is similar.

Christina McRorie’s study elucidates the shift in moral teaching on usury in the Roman Catholic Church. She shows how through a deeper understanding of the nature and function of money and loans, realizing their potential “fruitfulness” vis-à-vis their exploitative dynamic, a revised understanding and classification of usury emerged. This led in a millennium-long debate ultimately to
Introduction

Antigone Samellas analyzes the discernment process on usury in Byzantium. Based on biblical verses that condemn the practice of usury, the church fathers had clearly denounced usury as unjust and sinful. They regarded it as a pagan economic tradition, driven by the pathology of greed, which is incompatible with Christian morality. In a detailed study of the sources, Samellas details the historical circumstances within which, from this moral teaching, “the church tacitly came to endorse the usurious practices of laypersons and became implicated in profitable economic transactions.” The key motivation for the church to change its moral evaluation of usury was to ensure a functioning Christian welfare state. The reinterpretation of the practice of usury emerged under certain circumstances and led to a set of conditions and criteria under which it may be practiced.

With regard to John Calvin’s re-evaluation of usury in 16th-century Geneva, Cornelis van der Kooi shows that Calvin clearly distinguishes between a loan for basic needs for the poor and a loan for investment and production. Calvin argues that the biblical verses prohibit usury in order to protect the poor from exploitative contracts. With regard to contracts between wealthy people, however, Calvin reinterprets biblical passages in such a way that usury becomes acceptable practice. He underlines the importance of equity and reciprocity as guiding principles between human beings. Calvin emphasizes that the horizon which should guide Christian moral behaviour is the recognition that the law does not stand on its own, but is situated within the covenant with God.

Struggles to Delegitimize Slavery

This section on the struggles to delegitimize slavery scrutinizes the developments in British Colonial America. The struggles in the Methodist Episcopal Church, and the emergence of the African Methodist Episcopal Church, are of particular significance as the ecclesial separations show a close connection between ethics and ecclesiology. The contours of the theological arguments on both sides of this struggle come to the fore as voices from influential missionaries and pastors are unearthed.

Tamara E. Lewis uncovers the modes of oppression engendered in ecclesial discourse on slavery in British Colonial America by examining influential church leaders who justified slavery, namely, the Anglican missionary Morgan
Godwyn and the Puritan pastor Cotton Mather. In view of their rationalizations of slavery, she then traces the struggle to delegitimize slavery by Philadelphia Quakers and African American Christians. She investigates the 1688 Minutes of the Germantown Quakers of Philadelphia, since they contain a significant petition against the slave trade. This petition strongly pleaded against slavery, based on Quaker convictions regarding the equality and liberty of all human beings. On similar grounds, the black woman Elizabeth Freeman argued her case for emancipation in the Massachusetts Supreme Court in 1781.

The study of the predominantly white Methodist Episcopal Church (MEC) prior to the American Civil War by R. Drew Smith analyzes their pro-slavery co-optation in the American South. The key question is how the MEC in the South departed from the traditionally strong opposition to slavery inherent in Methodism. The official argument was that it was more important to tolerate the reality of slavery to ensure access to church members among the slaves in order to spread the gospel and save souls. Analyzing the tensions and power dynamics between laity and clergy, Smith’s study points to the strong influence of some wealthy Methodist lay people in the South who were large-scale slave owners and successfully pushed their interests. Once the separation of the Methodist Church into distinct north and south ecclesial bodies took effect, the voices opposing slavery in the American South had an increasing hard time to be heard.

Clear condemnation of slavery is part of the “institutional DNA” of the African Methodist Episcopal Church (AME), underlines Dennis C. Dickerson in his study of the AME. The church was founded by Richard Allen in 1787, splitting at that time from the MEC. Allen, who was a slave when he first encountered Methodism, was deeply influenced by the theology of John Wesley and the hymnody of Charles Wesley, both of which emphasized themes of freedom from bondage to sin and also to the bondage of slavery. Difficulties emerged when some AME members were closely linked to insurgency movements. Moreover, the question of whether one could participate in buying of slaves in order to immediately free them caused some debates. These difficulties never represented a change in the church’s foundational opposition against slavery; rather, they show a church wrestling to respond faithfully to the circumstances it faces.

**Reassessment of the Role of Churches in Relation to the State and to Society**

The third section engages with questions of the role of the churches in three distinct situations of crisis in the 20th century: apartheid South Africa, military dictatorship in Brazil, and Nazi Germany. The ecclesial moral discernment
processes during and after the end of these regimes led to a reconfiguration of political ethics for the specific Protestant churches entangled in these crises. The fourth contribution in this section focuses on the affirmation of freedom of religion by the Roman Catholic Church in the Second Vatican Council. Since then, this church no longer teaches that the state has to protect the truth revealed in the Roman Catholic Church, but instead has to guarantee freedom of religion in order to protect human dignity.

Dirk J. Smit provides a detailed study of the contestations of the apartheid ideology in the churches’ moral discernment process. He gives a thick description of how different sources of authority competed and conflicted in this situation, e.g., scripture, the authority of public leaders, including church leaders, and experience. Strong tensions emerged with regard to the question what the Bible has to say on politics. The Belhar Confession clearly expressed opposition to apartheid ideology and outlined the theological, ethical, and ecclesiological dimensions. Global church bodies, like the World Alliance of Reformed Churches, also played a role in the discernment process by declaring a state of status confessionis. Smit says that the discourse on human rights was not yet widespread in the struggle, yet, he highlights: “A source of authority that was, however, of major importance, was hearing and listening to the voices of these victims.” (p. 114)

Critical discourse on authority and power is at the heart of Valério Guilherme Schaper’s contribution from Brazil. He introduces key insights of liberation theology from Roman Catholic theologians Leonardo Boff and Juan Luis Segundo, Argentinean Methodist theologian José Míguez Bonino, and also Rubem Alves from Brazil. In the second part of his paper, Schaper describes the significant change that took place in the Lutheran church in Brazil as it departed from a quietist stance with regard to the authoritarian military regime in the 1970s. Listening to the cry of the people whose human rights were violated began, leading to a more active engagement with the socio-political realities, which in turn significantly transformed this church’s self-understanding vis-à-vis state and society.

Thomas Martin Schneider investigates the moral discernment in the Evangelical Church in Germany in response to the “moral disaster” during the Nazi regime in Germany. From today’s perspective the accommodation and collaboration of most segments of the Evangelical Church with National Socialism is largely a moral failure. Schneider insists that the fact that many church leaders were backward-looking, missing the old monarchical order was one factor, but this does not fully explain the church’s moral failure. There were also many examples of progressive, liberal theologians who were drawn to the temptations of National Socialism. The Confessing Church resisted the regime’s forced
political conformity, but its strict return to theology proper did not lead them to fully engage for persecuted groups. It was clear that after 1945 Protestantism in Germany needed to engage in a profound transformation of its theological understanding of the role of the church in relation to the state and to society.

David G. Kirchhoffer examines the change in teaching on religious freedom that occurred when the Second Vatican Council issued its Declaration *Dignitatis Humanae* in 1965. Up until then, the Roman Catholic Church had asserted that it alone contained the fullness of divine truth. Furthermore, the church argued that state authority was obliged to protect this divine truth revealed in the Roman Catholic Church. Faced with the rise of totalitarianism and the rise of the idea of the citizen, as well as an increased appreciation for the role of culture and its conditioning of both reason and freedom, the church intensely debated its original view and its norm to protect the truth at the Second Vatican Council. Kirchhoffer outlines the argumentation lines of three distinct views discussed at the council. With *Dignitatis Humanae*, the Roman Catholic Church acknowledges the plurality of human self-understanding, and the role of culture, and affirms that the human person has dignity, a conscience, is free, and is called by God. Respecting the dignity of the human person is the fundamental norm that ought to be a civilly protected through the right to freedom of religion.

**Reimagining Christian Commitment to Peace**

Moral discernment on participation in war has a long tradition in Christianity. Pursuit of peace intrinsically belongs to Christian discipleship, yet church traditions respond differently when they find themselves in critical moments confronted with the reality of war. This section offers studies from three different church traditions: Mennonite, Orthodox, and mainline Protestant in a majority church situation. While the Orthodox contribution compares two classic statements on killing in war from church fathers, the Mennonite and the Protestant contribution analyze change in moral teaching through discernment processes in the 20th century. Each of the three contributions shows in its own way how through moral discernment churches engage in reimagining Christian commitment to peace.

Anne-Cathy Graber analyzes a remarkable change in the Mennonite tradition: from passive nonresistance to active nonviolence. She points out that since the Schleitheim Confession in 1527, nonresistance has been a strong identity marker for Anabaptists/Mennonites. The two world wars in the last century, the Vietnam war, the civil rights movement in the USA and concrete experiences of humanitarian relief then led Mennonites to a profound reassessment of the gospel
imperative. They realized that nonresistance might lead to passivity as it engenders a mindset of withdrawal from the world. Through moral discernment, among themselves and together with other Christians, Mennonites moved beyond the binary of God and world, and affirmed that Christians are called to actively contribute to work for social justice and peace through active nonviolence.

Miltiadis Vantsos and Kristina Mantasasvili pursue the question whether it is ethically acceptable for Christians to participate in war. The scholars interpret a passage from St Athanasius in his letter to the monk Amun and compare it to a passage of St Basil the Great in his letter to Amphilochius of Iconium. At first sight, these passages seem to propose two distinctly different moral positions on Christian participation in war. St Athanasius writes that murder is prohibited, but in war it is necessary and laudable to destroy the opponents. St Basil who is familiar with St Athanasius’ position states more clearly that murder, even in war, is a sinful act. Vantsos and Mantasasvili show in their interpretation of the respective passages that actually both speak about the need for forgiveness. Killing of the enemy is not in accordance with the gospel, however, it seems to be a necessary or lesser evil in situation of defensive wars. The need for forgiveness, articulated in both patristic passages, points to the promise of spiritual healing of human beings and the restoration of their relationship with God and fellow humans.

In the third contribution in this section, Hendrik Meyer-Magister analyzes the ethical debate in West German Protestantism in the 1950s. The question was whether Christians should serve in the army, as the German government considered a nuclear armament of the army, or whether they should rather make use of the constitutional right for conscientious objection. This almost resulted in a split in the Protestant churches in Germany. The Heidelberger Thesen tried to resolve the tension by relating the mutually exclusive moral options in a constructive way. This view emerged from a new logical approach – the idea of complementarity – that two laymen who were physicists introduced into the debate. It resulted in an individualization of moral responsibility as it made moral decisions conditional on individuals’ perception of a given situation rather than on the doctrine of the church.

**Introducing Women’s Choirs in Liturgy**

Mor Polycarpus A. Aydin provides a historical study on the introduction of women’s choirs in the 4th century by St Ephrem the Syrian. St Ephrem moved away from a literal interpretation of scripture as he considered it a duty also for all believers, including women, to praise God in the liturgy. He therefore established women’s choirs and composed teaching songs in a memorable form. It implied that women could partake in Orthodox theological education.
In view of Paul’s admonition to women to remain silent in worship in 1 Corinthians, this signifies an important shift. In the 5th century, St Jacob of Sarug wrote a metrical homily in which he highlighted St Ephrem’s introduction of women’s choirs, thus endorsing the reception of the innovation by Ephrem. Jacob saw the creation of women choirs as an anticipation of the eschatological reality of equality of men and women. It was also an important contribution to strengthening the witness of the church in times of persecution.

**Deliberations on Contraception, Polygamy, and Interfaith Marriages**

This section deals with three different moral issues in the area of marriage: the reconsideration of moral teaching on artificial contraception in the Anglican church, the debates on polygamy in the Presbyterian Church in Cameroon, and the shifting regulations on interfaith marriages in the Methodist Church in Malaysia. All these moral discernment processes take place in the 20th century in relation to changing societal awareness and legal regulations. They newly engage and question practice and teaching.

John Gibaut traces in his study how the qualified approval of artificial contraception came about in the 1930 Lambeth Conference. A key aspect in the debate is the importance of reason for discernment processes in the Anglican tradition. Since the late 16th century, Anglicans officially recognized scripture, tradition and reason as three sources of authority. While reason is not independent and always comes to bear only in its interrelationship with the other two sources of authority, reason clearly allows for arguments based on scientific knowledge to carry significant weight in moral discernment. As a result, the bishops clearly preferred abstinence as the highest form of birth control, but nevertheless did affirm that moral situations exist which make other methods necessary, a decision which was affected by the best medical advice and scientific authority of the day – that is, affected by “reason.”

Emmanuel Anyambod Anya discusses the origins and reasons for polygamy in contemporary African societies and the impact of polygamy on social cohesion. He points to biblical teachings on polygamy and explores its theological implications. The paper mentions that women have increasingly been resistant to polygamous practices as their rising level of education and economic possibilities allowed them to affirm their agency. In the last part, the paper provides insight into the contested debates and regulations of the Presbyterian Church in Cameroon concerning the practice of polygamy amongst its adherents. The author concludes that while European missionaries strongly condemned polygamy, the Presbyterian Church in Cameroon has in recent time somewhat
relaxed its attitude towards polygamy, considering it as a social and cultural matter, rather than a matter of faith.

In the third contribution in this section, Hermen Shastri investigates the change in regulation in the Methodist Church in Malaysia with regard to interfaith marriage. In 2011 the church revised and severed its rules for marriage. Previously interfaith marriages were possible according to church regulations, as it was seen as an opportunity for evangelisation: there was the hope that the non-Christian would convert to Christian faith. Shastri’s analysis shows that the currently more closed and rigid position of the church which does not allow for interfaith marriages needs to be situated in the context of the changing socio-political dynamics in interreligious relations in the country. Marriages with Muslims would increasingly necessitate a conversion of the Christian to Islam. Shastri’s contribution moves beyond explaining the 2011 regulations by offering a critique of the assumptions underlying these regulations. He describes the reality of young people in a multireligious country like Malaysia and provides pastoral and theological arguments for a possible re-evaluation of the current rules.

**Shifting Paradigm or Applying Oikonomia in Understanding Suicide**

In Christian moral teaching, suicide has been regarded as a crime of killing that is prohibited. The immediate consequence was that someone who committed suicide was denied a church funeral. In the Coptic Orthodox tradition, there was, as early as 381 CE, a canon that recognized the possibility that a suicide might be a result of mental illness, and thus a funeral could be granted in a pastoral situation, applying *oikonomia*. In the Roman Catholic Church, a similar view gained traction after the Second Vatican Council, as insights from human sciences were fully taken into account when assessing the phenomenon of suicide.

In his study on funerals after suicide, Michael Karger speaks of a paradigm shift in the Roman Catholic Church’s approach to dealing with suicide. In its official teaching until the 19th century, the church strongly condemned suicide and denounced it as a denial of hope, thus a loss of faith, and therefore an act of free will that is contrary to God’s will. In the following century, this view changed through a case-by-case approach, finally calling on all pastors to incorporate the findings of the human sciences into their discernment of cases of suicide by consulting with medical authorities. After the Second Vatican Council, the refusal of funerals after suicide was eliminated from canon law. Today’s default position regards mental disturbance as the main reason for suicide. This implies that suicide is still condemned, but the consequences on the level of
pastoral ministry with regard to the church refusing or enabling a funeral service have changed.

Wedad A. Tawfik outlines the perspective of the Coptic Orthodox Church on suicides. She shows that the scriptural prohibition of suicide is taken seriously in the church, and when *akriveia*, the strict adherence to the laws of the church, is applied, the church cannot officiate at a funeral after suicide. However, from early on, the canon from St Timothy I, Pope of Alexandria, issued in 381 CE, allows for applying *oikonomia* when, due to mental illness, the person cannot be held accountable for this act. Hence here, too, the teaching on suicide has not changed as it is still not allowed. Yet by applying *oikonomia* on the level of pastoral ministry in an individual case, a funeral service can be offered.

**Insights Emerging from This Study Process**

One of the important findings from the studies is that in several instances there was a development or change in moral teaching because of a new perception and understanding of the phenomena at stake: In the case of usury, new economic expertise provided new insights into the functioning of money and loans in economic activities. In the case of suicide, deeper pastoral and psychological expertise enabled new perception and awareness in relation to mental illness. This shows that *moral and ethical* re-evaluation is often based on and linked to *cognitive and epistemic* reconfiguration. This might include taking into account new information supplied from human sciences.

Next to the new perception and understanding of the phenomena, there is a second, quite different reason that in the past has urged churches to change through a moral discernment process: *moral failure* of the churches. Often it has been a failure in practice that has been directly or indirectly supported by certain assumptions and teachings. Several historical examples dealing with the relation between church and state, and examples on the struggle to end slavery, have been investigated in this volume. The churches realized that they undermined their calling to witness to the gospel by being complicit in a system of power and hegemony, and thus contributed to moral failure.

A third reason for change has been that the church realizes more clearly the effects of certain teachings on the human person. One classic example is the shift in Roman Catholic teaching with regard to freedom of religion. Since the Second Vatican Council, the church recognizes the importance of freedom of religion in order to uphold the dignity of the human person. Several other historical examples show that many churches who engage in profound moral discernment processes have learned to give *more attention to the persons affected*
and the vulnerable ones. The change in the Mennonite tradition from passive nonresistance to active nonviolence is a case in point. Mennonites realized in the 20th century that, in order to address the plight of people who suffer injustice and war, withdrawal from the world is not an adequate response, but active nonviolent engagement is called for. In Orthodox moral discernment, attention to the person concerned is an important element in the pastoral application of the moral teaching. This draws on the distinction between akriveia and oikonomía in the application of moral norms. On this basis, pastoral discernment focuses on the question of what will contribute to healing and salvation of the person, as for example in the case of a Christian soldier. With regard to church regulations on interfaith marriage, the final question raised at the end of the contribution from Malaysia is how the church can move from focusing only on protecting the church community to being a welcoming community that engages in a ministry of peace and reconciliation in society.

This volume provides a range of 19 historical examples of moral discernment in churches from different traditions, at different times and places. Many of these studies show that change emerged through a case-by-case engagement, triggering gradual change, sometimes leading to counter-reactions. As there are different reasons for change, there are also several different kinds of change and ways in which change takes place. Whenever change was consolidated, it happened because the shift in focus and awareness was carried by an increasingly broad spectrum in the respective church. Together with tackling the moral question at stake, the churches also addressed the question of ecclesial coherence and unity. Even though churches responded to this question in different ways, it has become obvious that as churches engaged in moral discernment processes they struggled for faithfulness, integrity, continuity and coherence.

By providing detailed descriptions and analyses of discernment processes that occurred in the past, the current volume aims at contributing to historical expertise and ecumenical literacy in order to facilitate dialogue between churches as they engage with moral questions today. Based on the insights from volumes 1 and 2 in this series of Churches and Moral Discernment, the Faith and Order study group on moral discernment developed a new study document that will be presented to the full commission, entitled “Churches and Moral Discernment: Facilitating Dialogue to Build Koinonia.” It offers in particular a tool that can help churches to better understand similarities, differences, and disagreements in moral discernment within and between churches, inviting churches to constructively learn from one another.
USURY
1. Did the Roman Catholic Church Change Its Mind on Usury?

Yes and No

Christina McRorie

Along with Judaism and Islam, the Christian tradition has long prohibited usury.¹ In the first centuries of Christianity, the Catholic Church interpreted this prohibition as forbidding receiving any financial gain from a loan, regardless of the length of the loan or the purpose for which it was sought. However, this interpretation of usury slowly developed during the centuries leading up to and at the beginning of the modern era, and now the church only applies the term to forms of lending deemed to be excessive and exploitative. Lending at interest itself is now accepted in church teaching and is nearly universally accepted in Christian practice.

This report provides a brief overview of some of the arguments and historical factors that were significant during this process of moral change, the debate over which “exercised the finest theological and canonical minds” of Christendom for roughly eight centuries.² Specifically, this report surveys theoretical development in four areas: (1) the classification of usury as a species of sin, (2) the nature and function of money, (3) the nature and function of loans, and (4) the morality of business and finance more generally. This development arose in response to the need to assess and control the new and increasingly prevalent financial practices of the post-feudal era.

This moral adaptation in the tradition was generated through a slow and decentralized process of case-by-case reflection and analysis performed by diverse actors within the church, universities, and religious orders, and in positions of governmental authority. Despite its decentralized and ad hoc nature,

1. I am grateful to Dan Finn for helpful comments on an earlier draft of this report.
this process was fairly cohesive due to a combination of the Roman Catholic Church's authority and the academic and legal institutions in place at the time in Europe. Involved parties acknowledged each other as dialogue partners across time and space and built upon or explicitly rejected each other's arguments. This cohesion notwithstanding, the process was not a linear one, and its teleological nature is only clear in retrospect. Moreover, it was marked by controversy and heated disagreement, as would be expected of any period of moral discernment in which much is at stake—financially, socially, and for the church, politically, morally, and spiritually. This report concludes by discussing this and summarizing features of this historical episode of moral discernment that may be important to consider from the vantage point of Christian churches today.

**Early Descriptive Presuppositions and Starting Points**

From Jerome and Augustine to the Cappadocians, the early church fathers were of one accord in condemning usury as sinful. The sin itself, however, was only loosely defined. Up until roughly 1050, the widespread understanding was generally that usury was a sin of greed and a failure of charity. What explanations of this sin did exist referenced Luke 6:35, in which Jesus commands his followers to “love your enemies and do good to them, and lend expecting nothing in return.” Following this, a capitulary issued by Charlemagne in 806, for example, simply described usury as “claiming back more than you give.”

Beginning in the early medieval period, usury was more clearly located in the *mutuum*, or loan contract. Where usury was present in other contracts, it was reasoned, it was because these implicitly functioned as loans. At this point the sin accordingly began to be classified less frequently as avarice and more often as a form of injustice or theft, for which restitution ought to be paid.5 Adding natural law reasoning to earlier ecclesiastical authority, theologians and canonists further declared it unnatural (more on this shortly). Despite this slight alteration in the sin's classification, however, during the 11th century

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4. Robert Latouche, *The Birth of the Western Economy: Economic Aspects of the Dark Ages* (New York: Routledge, 1961), 155–56. Charlemagne was the first ruler to extend the prohibition on usury to laypersons and clergy alike, and thus make it a matter of both church teaching and civil law. Before this time, it is interesting to note, there were no usury laws. Christian emperors had not altered earlier Roman laws, which did not view *usura* as unjust or unnatural and saw banking as an honest profession.
scholars and authorities were still “unanimous” in interpreting the usury ban as forbidding all forms of profit upon loans. In this view, even the mere expectation of receiving in return any sum over the original principal lent rendered a lender’s actions sinful.6

Originally, this interpretation simply stood by itself, as it appeared in various ecclesiastical pronouncements. Once medieval scholars started reasoning within the framework that these provided, however, they began making explicit the assumptions about the world that had funded this moral intuition. One of these had to do with the nature of loans at the time: before and during the early medieval era, the paradigmatic understanding of loans was as a form of personal assistance offered to those in need, such as might arise after a crop failure or an unexpected illness.7 Indeed, loans could even be seen as a form of almsgiving.8 While not unknown, loans sought for strictly business purposes appear to have been less common. As a result, moral norms surrounding lending enjoined lenders to act out of charity rather than in pursuit of gain, out of a concern that those seeking their aid would be desperate and vulnerable to exploitation.

Closely related to this description of loans was the pre-modern assumption that money was sterile and incapable of reproducing itself. Aristotle famously contrasted money with crops and livestock by noting that where these naturally reproduced themselves, money did not.9 Unlike livestock, then, money could not offer usufruct, or right of use and enjoyment of its fruits. In this view, money certainly does not generate what moderns call “interest” all on its own.10 (From our perspective, neither did the pre-modern worldview recognize the existence of what we now identify as “opportunity costs” in lending; the assumption was that if a sum is eventually returned to its original owner’s strongbox, the owner has not incurred a loss from its temporary absence – and nor, crucially, have borrowers placed themselves in improved positions.) As its name, usura (the

8. On loans as alms, e.g., see Peter Brown, Through the Eye of a Needle: Wealth, the Fall of Rome, and the Making of Christianity in the West, 350–550 AD (Princeton: Princeton University, 2012), 60.
10. Indeed, although modern translations of Aristotle may use the term interest, the word he actually uses is “tōkos” – literally, “offspring.” For example, “For money was intended to be used in exchange, but not to increase at interest. And this term interest, which means the birth of money from money, is applied to the breeding of money because the offspring resembles the parent. Wherefore of all modes of getting wealth this is the most unnatural” (ibid., 72).
noun for “use”) indicates, usury was understood as a straightforward price for the use of something that is not useful apart from in its consumption.

This point is neatly summed up by Thomas Aquinas’s classic response to the question of whether it is sinful “to take money, as the price for money lent.” Aquinas’ answer explains that indeed it is, because money is more akin to wine – a consumption good – than to a house, which can be used without being used up. A house can be borrowed and returned, and therefore it may be legitimate to place a price upon its use. Neither wine nor money offer themselves for such use and return, however, let alone generate the increase of themselves that usury demanded. Therefore, to demand interest is to charge “twice” for the same thing and to sell something that “does not exist.” This would place a burden upon a borrower that could only be repaid through future personal sacrifice, and which Aquinas assumed would only be agreed to by those “under a certain necessity.”

One final pre-modern presupposition is important for understanding the evolution of the prohibition on usury in the Catholic Church, and this is the general disreputability of “money making” as both an endeavour and profession in early and medieval Christianity. To be clear, this moral view was not uniquely Christian or Catholic in nature and has its roots in the political and philosophical thought of antiquity. Aristotle, for example, distinguished between the limited acquisition of wealth for the purpose of living well and the unlimited accumulation of riches for their own sake, the latter of which he dismissively

11. ST II-II 78; also de Malo XIII.4. Although Aquinas’ formulation of the natural law argument against usury was influential, it should be noted that a number of other natural law arguments were offered, emphasizing different aspects of the issue; see Noonan, Scholastic Analysis, 38–81, for more on these. Moreover, it is interesting to note that elsewhere (ST II-II 62.4) Aquinas appears to work with a conflicting theory of money, attributing to it a causal power that is not keeping with the view at work here, and with the articulated consensus among canonists and theologians up until that point that money is purely sterile.

12. It is possible to see implicit within this argument the above-mentioned attention to what we now identify as opportunity costs. Presumably, Aquinas assumes that while the owner of the wine is not at a loss for having been temporarily deprived of his wine if it is eventually returned to his wine cellar, the owner of the house has been deprived of the use of the home’s shelter during its lease. Despite the attention he pays elsewhere to how losses imposed may alter the application of the principles of justice, in this case Aquinas does not explicitly discuss the issue of the lost use but rather focuses on the fact that (unlike houses) wine and money are both “things whose use is in their consumption, and which do not admit of usufruct” (ST II-II 78.3). (Regarding the importance of loss in altering the application of the principles of justice, see ST II-II 77 for his analysis of why raising prices merely in light of a buyer’s need is illicit, but morally permissible in cases where the seller’s losses would be greater than usual.)

13. ST II-II 78 A.1, reply to objection 7.
called “wealth-getting” and declared unnatural. From such sources, Christianity inherited its own deep and particular moral suspicion of the ideas of finance, profit, and seemingly effortless monetary gain.

This moral orientation made especial sense in the context of a subsistence and agrarian world characterized by a “limited good” worldview, in which the amount of wealth in the world was fixed, and zero-sum. In such a world, the profit that a lender gained upon repayment of a loan was wealth that was directly taken from the borrower (as opposed to being “created,” as is commonly said today). Given this cultural, social, and economic context, it is natural that the early church would have interpreted Jesus’ command to “lend expecting nothing back” as forbidding lending at interest, if not lending altogether (Luke 6:35).

A General Overview of Where the Conversation Went from There

The assumptions just listed notwithstanding – and, moreover, in spite of the fact that the early definition of usury was the receipt of financial gain from lending – it is worth noting that the church never had a total ban on profit from loans (or, more accurately, on profit generated by contracts that moderns would consider as “loans”), either in practice or in theory. To start with, a number

14. Aristotle, Politics, Book 1, Chapters 8 and 9. Aristotle contrasted “wealth-getting” as its own end with the acquisition of wealth for the instrumental purpose of “household management.”


16. Not to be overlooked, too, is the role of antisemitism in facilitating this early interpretation of usury, both conceptually and practically. Laws that barred medieval Jews from a number of economic activities “tended to channel” them into others, including tax collecting and lending at interest, see David Nirenberg, Anti-Judaism: The Western Tradition (New York: W. W. Norton and Company, 2013), 197. Although stigmatized for this, Jews were permitted and even required to offer lending services on the putative grounds that they “were not subject to the prohibitions of canon law and were condemned in any case to perpetual damnation because of their repudiation of Christ,” Jerry Z. Muller, Capitalism and the Jews (Princeton: Princeton University Press, 2010), 16. Medieval (and later early modern) rulers thus temporarily “resolved” a growing dilemma – as one commentary on Dante’s Divine Comedy put it, that “those who engage in usury go to hell; those who fail to engage in usury fall into poverty” – by effectively outsourcing usury to Jewish communities, cited in Muller: ibid.; see also Nirenberg, Anti-Judaism, 194, on how this “special relationship” with Jews benefitted European monarchs. Given the association of Jews with usury, antisemitism also featured significantly in many of the heated debates mentioned here; such that in the 12th century, Bernard of Clairvaux could refer to taking usury as “Jewing,” and labelled Christian
of licit contracts existed that were not thought of as loans, but that allowed the temporary transfer of funds for various projects. One of these was the societas, a revived form of the Roman contract of partnership in which one party contributes funds while another manages operations. The fact that the societas required the risk of a venture to be shared between the lender and borrower was thought to distinguish it definitively from a loan and render it licit. The societas first received theological attention in the 11th century, but appears to have been in common use much earlier in Italian city-states.

The census was another early form of licit credit, which allowed a buyer to purchase an annual return from a fruitful property for a given number of years. Originally paid in actual produce, this return was eventually paid in money and legally and formally understood as a sale, rather than a loan. This may have seemed logically in keeping with the early understanding of the usury law given that the rate of profit of the census (which, if viewed as a loan, would be its effective interest rate) was regulated by the productivity of land, and that the purchaser assumed the risk that the property might not prove fruitful. That said, the theoretical justification most often offered for the census – that the sale was specifically of a right to future money (and that it was thus governed by just price, not by usury law) – was itself, as John Noonan observes, “theoretically destructive” of the usury prohibition as it had been articulated at the time.

The scholastics did not seem to see this.

Alongside the forms of finance that such non-loan contracts allowed and regulated, the early understanding of the usury law itself permitted certain exceptions, such as when a gift was given to a creditor out of gratitude for the credit extended. An especially important exception from the perspective of the later usury doctrine was drawn from the Roman legal assumption that quod interest – “that which is the difference” – must be paid to a lender when a creditor’s failure to fulfil a contractual obligation causes damage to the lender. In Roman law, this was distinct from usura. The first canonists used interest in the same way; it was “purely compensatory,” and only “accidentally and extrinsically associated with a loan.” It would take some time for this to be developed into a general theory of interest as such.

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17. See ST II-II 78.2, reply to objection 5, for Aquinas’s justification of the society partnership on these grounds.


19. Ibid., 170.

20. This stems from the Latin interesse, to be between things.

Roughly in the middle of the 12th century is when scholars – and theologians in particular, who often reflected on canon law in a more synthetic way than did the canonists, who were tasked with applying its precepts and who dealt primarily with individual cases – began reflecting upon the logic animating the existing positive ecclesiastical rulings on usury. Very shortly after, they slowly began developing a number of additional “extrinsic titles” to profit on a loan, understood to be interest rather than usury. (These titles are extrinsic in the sense that they are calculated and justified through attention to the situation of the creditor and debtor, and are external to the functioning of the original contract.)

One of the earliest of these dealt with situations in which a debtor fails to repay a loan at the determined time. In such cases, it was thought legitimate that the lender should charge a *poena* (penalty), in addition to the principal. This addition was conceived of as punitive in nature, rather than compensatory, and reserved for circumstances in which borrowers were at fault. As a form of profit, *poena* was thus permissible – but only, the scholastics took pains to clarify, if a lender did not knowingly design a loan so that a penalty would be unavoidable. Even to internally and silently prefer a late and therefore augmented repayment to a timely one, they held, would be to commit the sin of usury.

For the first century of systematic scholastic reflection on usury (roughly 1150–1250), the only titles to interest proposed or accepted were all based in the fault of the debtor.\(^{22}\) Not until the 13th century did canonists or theologians mention exceptions that would have been known or intended from the start of a loan. When they did, two important new titles emerged roughly at the same time: *damnnum emergens* (damage, or loss that occurs) and *lucrum cessans* (profit ceasing, or lost).

The first of these was a fairly straightforward extension of earlier compensations deemed licit, with the difference that it acknowledges the possibility of a lender’s loss even in the absence of a borrower’s default. By compensating for foregone profits, however, *lucrum cessans* came rather close to tacitly admitting that money itself could be a cause of gain, and contradicting the settled view of money’s fundamental sterility.\(^{23}\) The scholastic solution was to specify that

22. Ibid., 115.

23. Arguably, Aquinas had implicitly recognized something similar to *lucrum cessans* in his observation that creditors not repaid in time have also lost gains that they possessed – albeit “virtually” or “potentially,” rather than “actually” – in a manner analogous to sowers whose planted seeds have been dug up and stolen and who therefore will not enjoy their harvest (ST II-II 62.4). Aquinas concludes that therefore the restitution in such cases ought to include “some compensation, according to the condition of persons and things,” although he explains that this may be a gesture, and does not need to be “good in equivalent” to what the owner was “on the way to obtain.” Contrary to his explicit treatment of money in the question on
money functioned as an opportunity for a merchant’s industry. In this view, *lucrum cessans* compensates the merchant for the costly idleness imposed by the deprivation of their funds.

This argument notwithstanding, neither of these titles received immediate acceptance; a majority of scholars rejected both up through most of the 15th century. An important episode in reversing this was a controversy over compulsory loans taken by Italian city-states in the 15th century. Having demanded these loans from their citizens, the cities were then in an effectively perpetual default. They were, however, making annual payments of 5 percent to the bondholders. Was this licit? Yes, it was eventually determined, through *damnum emergens*: payment in this case was the justified compensation for the loss that the borrower’s failure to pay on time imposed upon the lenders.24

Another area in which “the force of practice upon theory” is evident can be seen in the application of insurance to the *societas* contract, which, when accepted, enabled the financing of business through bonds.25 Insurance contracts had first developed in the 1300s in Mediterranean cities as a means of coping with the risks of maritime commerce, at which point they were readily accepted by moralists as a licit means of rendering a service (in this case, assuming a burden of risk) for a price.26 The implicit admission that ownership and risk did not necessarily need to be identical was to be of great import for the interpretation of the usury law. It was some time before this was noticed, however; not until 1485 did a scholastic writer argue that lenders could insure their funds not only through a third party, but also with the party to whom they entrust it in a joint business venture, receiving in return a return on the principal even if the venture is not profitable.27 This was eventually called a “triple contract.” Although it was apparently then already in use, scholars did not immediately accept it, given that it seemed to render the *societas* a loan by removing the investor’s risk.28 In fact, a controversy over

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26. It is interesting to note that this is a genuine innovation; there was no precedent for this in Roman law.
27. This was suggested by Angelus Carletus de Clavasio, vicar-general of the Franciscans of the Observance.
28. At least according to John Eck, who wrote in 1515 that it had already been in use for 40 years. The three contracts in question were: the partnership itself; the insurance of the
whether a triple contract at 5 percent was licit would continue up through the 1700s.29

Through the process of this argument, we can see the scholastics definitively move away from the view that money is necessarily sterile. By 1605, it was possible for the Jesuit theologian Leonardus Lessius to argue that money is like “the fruitful seed of gain by industry [semen fecundum lucre per industriam] in which the gain itself is contained virtually as in a seed.”30 With this in mind, Lessius considered adding carentia pecuniae (“lack of money”) as a just extrinsic title to returns on a loan greater than the principal. Although Lessius ultimately rejected this additional title, his reasoning implicitly recognized the time value of money.31 By that point, late scholastics had come to view money as “not just a coin to change, but also as a businessman’s tool” – that is, as what moderns now refer to as capital.32

Roughly during this time, scholastic analysis also became somewhat less attentive to the legal forms used, and more attentive to substance of a contract or transaction. First applied to the triple contract, after 1581 the idea of an “implicit contract” was extended to the census, societas, and cases of interest.33 This was the claim that if parties intend to contract licitly, and if the practical effects of their arrangement can be achieved by means of a licit contract (or by the combination of three licit contracts, in the case of the triple contract), then

lender’s principal; the exchange of an uncertain percent of profit (possible through the partnership) for a lesser, but certain, amount of profit – theoretically, the expected gain less the price of insurance. See Noonan, Scholastic Analysis, 210.

29. In 1569, Pope Pius V issued a bull condemning these in Germany, then popularly called the “German contract.” Despite that, after his death a Jesuit Congregation again approved it in 1581; in 1586 in turn a later papal bull condemned this, declaring “the decent name of partnership was being used as a pretext for usurious contracts,” and indicating that persons found guilty of enforcing such contracts were to be denied Christian burial. Although the contract was pervasive by this point, even in the 18th century it was attacked as functionally usurious. For discussion of the controversy over this annuity, see John T. Noonan, A Church That Can and Cannot Change: The Development of Catholic Moral Teaching (Notre Dame: University of Notre Dame, 2005), 138–40.


32. Fabio Monsalve, “Late Spanish Doctors on Usury, and the Evolving Scholastic Tradition,” Journal of the History of Economic Thought 36:2 (2014), 233. In the two centuries after Leonardus Lessius’ death, canonists who adopted his “lack of money” argument were all condemned.

33. Noonan, Scholastic Analysis, 279.
the form of their contract itself is unimportant (and in the case of the triple contract, they do not actually need three separate contracts), because their agreement contains the licit contracts implicitly.

Using a similarly analogical and practical approach, in 1530 Jesuit John Mair argued that the tasks accomplished by the provision of maritime insurance can be accomplished by – and therefore morally analyzed as a form of – a societas in which the partners share the worries and risk of a venture. Because it need not be seen as a loan, maritime insurance was therefore not subject to the usury prohibition. As James Keenan explains, Mair’s reasoning illustrates how the “high” casuistry of his time focused less on the “essential notion of an object like usury, loaning, justice” and so forth, and increasingly upon particular instances, and “embodied ways of acting.”

The issue of the montes pietatis – profit-free pawnshops for the poor that were funded by charitable donations – offers a final example of the priority given to substance over form in the later centuries of this ongoing conversation, as well as the pressure exerted on scholarly and ecclesiastical analysis by popular practice. The first mons was established in 1462, and it received papal approval five years later. Given that the montes’ administration fee of 6 percent was significantly lower than the 32.5–43.5 percent that public usurers charged, their work was thus championed by the Franciscans in particular as a remedy for usury. The montes constituted a significant break with past practice, however, and the Dominicans objected in fairly short order. In fact, in a controversy that “waxed hot” between the orders, the latter “used their inquisitorial authority on occasion to investigate the defenders of the mons as heretics.” Eventually, a theoretical defense of the montes was worked out that argues that their fees are charged not “by reason of the loan,” but as the price of the labour they undertake in being ready to offer a loan – just as a priest is not simoniacal if he receives money, not for his mass, but for a journey

34. Although a 1237 decretal issued by Pope Gregory IX, Naviganti, had seemed to forbid this, in the 1500s merchants increasingly sought underwriting for their ventures to both the East and West. Mair was among a group of scholars at the University of Paris approached by a group of Spanish merchants seeking guidance on a number of commercial practices in 1530. James Keenan, SJ, “The Casuistry of John Mair, Nominalist Professor of Paris,” in The Context of Casuistry, edited by J. Keenan and T. Shannon (Washington: Georgetown University, 1995), 85–102, at 93. For more on the evolution of arguments for buying and selling risk see Giovanni Ceccarelli, “Risky Business: Theological and Canonical Thought on Insurance from the Thirteenth to the Seventeenth Century,” Journal of Medieval and Early Modern Studies 31:3 (Fall 2001), 607–58.

35. Noonan, Scholastic Analysis, 295.

36. Ibid. As noted earlier, public usurers (often Jews) were frequently tolerated, although never officially sanctioned.

37. Noonan, Scholastic Analysis, 296
undertaken in order to say the mass.”38 (In this, the later scholastics exploited an earlier inconsistency that found that while a loan itself is worth nothing, a fee can be placed upon a future obligation to loan.) Once this argument was accepted widely in the 18th century, the door to charging a fee for lending had been definitively opened.

This brief overview necessarily left out a number of important elements in this nearly millennium-long debate, such as the development of exchange banking, which led to markets in money itself. What it does provide, however, is a condensed sense of some of the important ideas in this debate and the pace at which they were developed, deployed, and accepted in practice. It gives a sense, too, of how each of the assumptions that were fundamental to the usury law at the beginning of this debate slowly changed in response to the changing socioeconomic order in Europe. As the growth and expansion of financial markets provided more opportunities to use money as capital (rather than merely as a means of exchange) and therefore rendered the opportunity cost of lending more visible, money’s ability to “fructify” became more evident, and it became thus accepted that financial transactions could be “positive sum” in nature and create new wealth. Likewise, by the end of this debate it had become clear that many forms of acceptable contracts were effectively loans, that loan seekers were not necessarily in financial distress, and that therefore lending at interest could be accepted as a perfectly legitimate tool of personal, commercial, and public finance. Indeed, in thought and practice, Christianity had come to accept not only the social utility of the banking industry, but even the idea that those working in finance could have good intentions. In light of all this, to the modern mind it had begun to make perfect sense that the sin of usury should be the exception, and not the rule, in lending – and that Jesus’ advice in Luke 6:35 should be read as a counsel of perfection, rather than as a flatly literal guideline for finance.

Why Did This Take So Long? A Few Notes on the Method of This Debate

From the vantage point of today, it is sometimes said that by the end of this long debate Rome had effectively “given up” on usury – whether by changing its mind about its objective sinfulness, or by merely being too exhausted to continue its battle with the modern world. In support of this reading of history, much is often made of a particular papal response in 1830: when asked about

38. The first citation is from Navarrus, De cambiis 13, n. 16–18. Cited in Noonan, Scholastic Analysis, 301.
confessors who failed to “question penitents who do not mention their gains from loans, although the confessors have heard that they make such profits,” Pope Pius VIII replied, “Do not disturb them.”39 Since then, the story goes, the church has fallen silent on the issue because it now functionally permits what it once forbade – or, worse, what it had only pretended to forbid, but really allowed under cover of verbal tricks and rhetorical sleight of hand.

This is a tidy reading of this history, and certainly a satisfying one for those who were eager to see modern capitalism vindicated, or the Roman Catholic Church chastened (or, perhaps, for those who had little patience with scholastic methods of reasoning!). However, while there is a kernel of truth to such a narration of this episode, it misrepresents much about this extended period of moral discernment.

For one thing, the church has not fallen entirely silent on usury, nor has it changed its mind, at least with regard to the sin itself. Usury is still condemned in the catechism,40 for example, and Pope Francis has clarified recently that it is a “grave sin” that “kills life, stomps to human dignity, promotes corruption, and sets up obstacles to the common good.”41 It is true that the church no longer speaks in the absolute terms that were common in the Middle Ages, and that identifying usury now requires contextual and prudential judgment; neither the catechism nor any recent popes have offered a mathematical formula to distinguish licit and illicit forms of lending. However, specific practices have been addressed in local contexts by regional conferences of bishops.42 Types of lending discussed as usurious and exploitative over the years include payday lending, subprime mortgages, and international loans made to developing nations with unrealistic repayment requirements.

If the church has not changed its mind about usury’s essential sinfulness, however, it clearly has performed an about face – if a rather slow and laborious one – when it comes to the morality of profiting by lending. Looking back from

39. This was in fact Rome’s answer to a series of inquiries between 1822 and 1836: “Non esse inquietandos.”
40. CCC 2438 addresses this in the context of third-world nations struggling to repay debt; CCC 2269 notes, “Those whose usurious and avaricious dealings lead to the hunger and death of their brethren in the human family indirectly commit homicide, which is imputable to them.”
a modern vantage point, one might be forgiven for wondering why this turn-around took so long. Shouldn’t it have happened as soon as it became clear that money could function as capital, and that therefore lending at interest could be a non-exploitative, positive sum interaction? Or once it was clear that the societas and the census were really loans? From today’s perspective, it would be natural to expect that the church’s reasoning should have proceeded along these lines, with changed practices prompting the emergence of new descriptions of money and loans, and these in turn warranting alterations in the church’s judgment of specific lending practices. We might suspect that only a casual acceptance of hypocrisy, or a stubborn unwillingness to admit earlier error, could drive such a centuries-long delay in accepting what seems to us as a foregone conclusion. 43

It is undoubtedly the case that this entire debate had a hypocritical element, given that most leaders of Christendom during these centuries permitted lending at interest – and at times even demanded it – within their realms, most notably from Jews. The history of Christian moral teaching on usury may have evolved differently had this not been the case, and had Christians not been able to “outsource” for so long the lending practices they apparently could not do without. Moreover, it is also clearly the case that ecclesial authorities were hesitant to appear to reverse the teachings of their predecessors.

This said, however, two factors in this process are important to keep in mind when trying to make sense of the slow pace of this episode in the history of Christian ethics. The first is that the obviousness of money’s fruitful nature – and therefore the opportunity cost of parting with one’s money for a period of time, as lending requires – is only apparent in retrospect from our point of view. This insight, along with the other conceptual developments that were reached through this debate, emerged rather slowly and indirectly, through a long process of moral adjudication on new financial contracts. As this brief history notes, scholars slowly developed a number of new extrinsic titles to profit on a loan through their assessment of specific new practices. It was the reasoning contained within these titles that added up to fundamentally novel accounts of the nature and function of loans and money. However, these could only be seen for the innovations they were after the fact, and it took time for their implications to become clear – such as the fact that the societas was essentially a loan. This means that the very theoretical developments that (from our

43. Robert B. Ekelund et al., “The Political Economy of the Medieval Church,” in The Oxford Handbook of the Economics of Religion, ed. Rachel M. McCleary (New York: Oxford University, 2011), 305–22, presents one such reading of this history, arguing that holding onto the usury prohibition enabled the church to engage in “rent-seeking,” whether it was seeking or offering a loan.
perspective) make sense of the church’s changed moral analysis were actually generated by, rather than themselves driving, this change.  

Secondly, it is also helpful to keep in mind the necessarily inductive and case-based nature of casuistry, the method of moral analysis in use during this debate. Casuistry begins by considering concrete cases rather than from abstract rules or principles, and generates moral pronouncements through a process of analogical reasoning. While casuistry can yield innovation in the moral principles that link particular judgments, this innovation is a by-product, rather than starting point or aim, of this method. And this is precisely what happened with the church’s moral analysis in this case: the development in the definition of usury itself was not achieved intentionally but occurred as a by-product of ad hoc analysis of changing cases, almost as if by accident.

It is with this in mind that we can say that the Roman Catholic Church did, and yet also did not, change its mind on usury. In the debate described here, it is possible that some canonists and theologians sought to subvert or intentionally alter the church’s teaching on usury. It is probable, however, that for a number of centuries most scholars involved viewed the theoretical innovations that their practical judgments tacitly proposed as natural applications of the existing prohibition, rather than as genuine innovations, per se – and for that matter, as necessary in order to keep the usury prohibition firmly in place.

In a sense, the scholastics were successful in this regard: Christianity’s long-held prohibition of usury itself is, technically, still in place. To be sure, these scholars’ careful efforts have added up to a near reversal of the concrete form of that teaching. From the perspective of today, though, this process has arguably strengthened and clarified, rather than fundamentally changed, the guidance that the church offers on how to pursue virtue and avoid sin in finance. As John Noonan observes, it was “in the exceptions to the prohibition, [that] the true principle had been hidden.”  

Back to the 30,000-Foot View: Notes to Take Away about This Transformation

With an eye toward the Faith and Order Commission’s study questions regarding the history of moral changes in Christian churches, this section sums up

44. Put otherwise, the church did not change its mind on whether financial gain on a loan could be justified because scholars recognized that money could be capital; the recognition that money could be capital emerged from the church’s practical acknowledgment that gain was justified on (many contracts we today identify as) loans.

45. Noonan, Church That Can, 142.
some of the salient features of this episode worth considering from the vantage point of today.

1. The ethical norm in question, the prohibition of usury, remains in effect in the Catholic Church. The historical change discussed here has not rescinded or reversed the moral judgment that usury is a sin; instead, it has altered the specification of which concrete actions this judgment condemns. That is, while usury itself remains wrong, the meaning of “usury” has changed.

2. Specifically, the meaning of usury has changed from the receipt of any profit on a loan (which described a limited set of lending practices), to the pursuit of profit from a loan that is deemed exploitative.

3. At the same time that the meaning of usury has changed, so has the common understanding of a loan. Originally, loans were understood as funds lent out of charity to individuals in distress, and the term was not used to describe a number of contracts we would today consider business loans.

4. While the early definition of usury – profit derived from a limited set of lending practices – was used to generate identifiable categories that were directly translated into law, the later understanding of usury is not quite so straightforward. Identifying usury today requires prudential judgment on a range of more granular details, including subjective judgments of coercion and exploitation, and relative fairness.

5. In addition to this difficulty, the usury prohibition is also no longer enforced with the same combination of political and ecclesiastical authority due to a range of historical, political, and ecclesiological reasons. This may add to the perception that the norm is taken less seriously by the church today than in times past. The issue of enforcement, however, should be considered as conceptually distinct from the transformation of the norm itself.

6. All of this was prompted and arguably necessitated by the institutional, financial, technological, and cultural changes taking place in early modern Europe. While financial practices that to modern eyes looked like profit upon loans had always occurred (and some had been permitted, although not called loans), during the period discussed here they occurred at an increasing rate.

7. These changing social conditions and practices prompted and required theoretical developments with regard to the common understanding of the nature
and function of money and loans. In the year 500, merchants lending sums to fellow merchants without interest may not yet have been aware of a precise cost to themselves through a lost opportunity to earn an annual percentage return on that sum if invested elsewhere. By the year 1800, the calculation of this opportunity cost was an understood and accepted practice.

8. These conceptual developments emerged gradually and in a piecemeal fashion, out of a decentralized process of casuistry, or analysis of specific cases, as scholars rationalized and accepted or rejected different contracts, and as other scholars and ecclesial authorities then accepted or rejected those judgments.

9. The transformation in the usury prohibition that this process ultimately yielded was facilitated in part by the fact that the scholars involved were working with a natural law ethical method. In natural law, while generic and higher order precepts (such as “do good, avoid evil,” or “do not murder”) are universal and immutable, specific moral judgments are understood to be applications of these to particular cases, and as a result necessarily open to revision as further insight into the case at hand is achieved. This approach allowed for development in the specification of the usury prohibition in a way that other methods of moral reflection and discernment – such as a divine command approach – might not have.

10. Scriptural exegesis was not central to this particular moral debate; while passages may have been referenced in support of various arguments, biblical interpretation itself was never the crucial issue at stake. Revisions in interpretation of important passages, such as Luke 6, resulted from developments in the understanding of usury.

11. The fact that this conversation had the coherence it did – despite spanning centuries and many corners of Christendom – was due to the development of canon law as a coherent and authoritative body of legislation and to the authority accorded to the ecclesial hierarchy in medieval and early modern Europe.

12. That said, however, this process was in no way linear. Specific practices and extrinsic titles to profit were accepted and rejected in piecemeal fashion and at different rates in different parts of Christendom, and on more than one occasion the acceptance of a new title in one era led to a rigorist reaction in following century.
13. Given the authority of the Roman Catholic Church at the time, scholarly opinion frequently (and ecclesiastical rulings regularly) had direct consequences for permitted lending practices.

14. Given these practical stakes, it should come as no surprise that this debate was marked regularly by controversy, which at times (to use John Noonan’s language once more) “waxed hot,” involving more than a few fines and restitutions demanded, excommunications declared, and accusations of hypocrisy and sophistry launched all around.

15. Despite the acrimonious nature of the debate at times, it ultimately formed in large part many of the concepts, practices, legal institutions, and sensibilities now foundational to global capitalism in the West.
2. Serving Both God and Mammon?

*The Orthodox Response to Usury in Byzantium*

Antigone Samellas

This paper puts forward that the core arguments deployed by Orthodox theologians against usury remained the same throughout the Byzantine era. The Christian values that inspired them influenced imperial legislation and, in times of economic crisis, the decisions of the patriarchal court. I will also show that, regarding the attitude of the church toward lending at interest, late antiquity constitutes a turning point: the establishment of a “welfare state” in the 4th century gave rise to a less rigorous stance toward usury as the church had to rely on loans to fund its ambitious philanthropic projects. Finally, I will stress that charity often served as a cover for the engagement of the clergy in commercial enterprises and usury.

**Divine Law versus the Violence of the Market**

The Q version of the Lord’s Prayer, a text fundamental for the communal life of Christians, identifies God’s kingdom with freedom from debt and penury: “Father – may your name be kept holy! – let your reign come: our day’s bread give us today; and cancel our debt for us, as we too have cancelled for those in debt to us; and do not put us to the test!”¹ The urgency of this demand was toned down in the later elaborations of Q in the gospels as, already in the Lucan redaction of the text, the prayer for the remittance of debts was translated as an imploration for the forgiveness of sins (Luke 11:4).² Even so, many passages in

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the gospels proclaim the abolition of debts. In later centuries, Orthodox Christianity tenaciously adhered to this evangelical ideal.³

Drawing on the Bible, the church fathers condemned usury and unmasked the purportedly voluntary and contractual character of economic relations as fraud. In his fourth homily on the Ecclesiastes, Gregory of Nyssa argued that written contracts and the counting of coins and all the solemn “guarantees of servitude” could lead only fools to believe that they had become masters of another human being, as if man had not been created in God’s likeness (Gen. 1:26).⁴ In contradiction to the natural, divine law that grounded freedom on the equality of all humans, slavery as well as usury were established through “legal agreements which imposed lawlessness” by depriving humans of their freedom. Usury was named “philanthropy” but in reality amounted to violent theft and murder that took place by stealth.⁵ In his plea to the Empress Anne of Savoy concerning the abolition of interest, delivered around 1321 CE,⁶ the theologian Nicolas Cabasilas almost paraphrased Gregory:

Some of the wealthy commit an injustice, availing themselves of the misfortune of others to enrich themselves. The injustice consists in that after lending to those who are in need, providing to a certain extent assistance to them, they murder them . . . they behave like thieves to them . . . At first, they seem to share their goods with them out of philanthropy and then attack them more

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⁵. “συνθήκαις τὴν παρανομίαν κρατύνων”; “διὰ τῆς τοιαύτης ἀνάγκης ἀπογυμνῶν τὸν χρεώστην φιλανθρωπία τὴν πικρίαν ὑποκορίζεται”: “but the person who strips his debtor naked by this kind of compulsion gives his harshness the euphemism philanthropy,” ibid. 4.3 in Hom. sur l’Ecclésiaste 246, 61–62,65–66; “διὰ τῆς τῶν τόκων ἀνάγκης κτᾶσθαι τὰ μὴ προσήκοντα”: “by using the compulsion of usury they appropriate what does not belong to them,” 242, 26–27; “ἀλλὰ καὶ τῆς ποιημάτις ἐπινοίας τῶν τόκων ἢν ἄλλην τις ληστείαν καὶ μισοφονίαν ὀνομάζας ὁὐκ ἂν ἁμάρτοι τοῦ δεόντος”: 242, 21–23; Gregory of Nyssa, Homilies on Ecclesiastes, 80. It is violence, ἀνάγκη, exerted on the debtor because of his need, ἀνάγκη.
sagely than ferocious beasts, like throngs of pirates lying in ambush in a harbor.  

Earthly law was founded on violence and discrimination. “Secular laws” according to Chrysostom, “being instituted by humans knew the division of humans in categories [into masters and slaves] but the law of our common Lord knew no difference between them since it benefited all indiscriminately and gave the same to all.” Greed gave birth to slavery. Basil of Caesarea ruefully remarked that “nothing can resist the violence of wealth, everything succumbs to its power.” Imitating the violence of wildfire, avaricious persons take hold of everything: crossing over every boundary, they constantly encroached on foreign territory.  

Usury was associated with the unjust and dishonest practices inherent in the prevailing ethic of the market. About the middle of the 6th century, during the reign of Justinian, a monk asked John of Gaza whether, in an agreement of purchase or sale, it was a sin to accept a price that was either excessively high or low. The reply was that if this occurred according to the will of the other party and not under constraint, then it was not wrong to accept the agreement. But if one of the two parties was subordinate to the other, then the superior party was not allowed to avail itself of its authority to impose an agreement. Similarly, in


10. Barsanuphe et Jean de Gaza, Correspondance, t. 3, ed. François Neyt, trans. Lucien Regnault, SC 468 (Paris: Cerf, 2002), N° 756 in 198; it is interesting to note that in the Peira [i.e. “Experience”] the 11th-century collection of problems relating to the administration of justice in Byzantium, an issue of concern was whether an agreement signed under duress was valid. A case discussed referred to the forced sale of property by children to an official below its value and whether it was legitimate for the injured party after many years not to pay its
the mid 5th century, Shenoute, the abbot of a group of three monasteries near the city of Panopolis, considered the following practices detrimental to the common interests of the monastic community: “Selling something and cheating or lowering the price ... like one who is doing a favor or charging too much.” In the market dreamed of by the fathers, transparency and honesty ruled the commercial transactions. Shenoute did not allow monks to sell any of their products (i.e., linen, cloth, rope, books, baskets) “until they are of good quality,” and if they “happen to sell some things that have only partially been finished” they “shall sell them for what they are worth and shall inform the buyers that they come from the siblings who are learning.”

A just price ought to reflect the value of labour and the interests of all parties involved in the transaction. Usury, on the other hand, was unnatural:

In this case the judge deemed that violence was used by the creditor against the borrower in every transaction for otherwise nobody would have paid back his debts. The interests of the weaker party were not taken into account. See Angeliki E. Laiou, “Οικονομικά ζητήματα στην Πείρα του Ευστάθιου Ρωμαίου,” The Empire in Crisis? Byzantium in the Eleventh Century (1025-1081), ed. Vasilike Vlyssidou (Αθήνα: Εθνικό Ίδρυμα Ερευνών, 2003), 180–81.

11. Bentley Layton, The Canons of Our Fathers: Monastic Rules of Shenoute (Oxford: Oxford University Press, 2014), Nr 317. After prohibiting lending at interest, an article in the collection of canons attributed to Athanasius stipulated not to buy in advance something lower than the current price, presumably because the purchaser thus took advantage of the need of the seller: Pseudo-Athanasius, Syntagma ad monachos, 3.4-5 (codex Vossiano, gr fol. 46) [TLG].

12. Layton, The Canons of our Fathers, Nr 316. A 6th-century inscription from Caesarea Maritima testifies that even money-changers might feel embarrassed about their profit-making activities: On a bronze weight, an instrument used in commercial and banking operations the following was inscribed: “With the help of God. Justice. A good work. 24 coins. Amen.” The bronze weight from Sycamina at the environs of Haifa dates from the 6th or 7th century. Corpus Inscriptionum Iudeae/Palaestinae, vol. 2, ed. Walter Ameling et al. (Berlin: De Gruyter, 2011), Nr 2153 in 879. It is a coin weight because it is denominated in nomismata. Nr 1744, in 627. For a deacon who was also a banker (διακόνου καὶ ἀργυροπράκτου) see Corpus Inscriptionum Iudeae/Palaestinae, vol. 1.2, ed. Hannah M. Cotton et al. (Berlin: De Gruyter, 2011), Nr 1074, in 453.

13. Nicholas Cabasilas, Λόγος κατά τοκιζόντων (Contra feneratores): “τόκου δὲ οὐδὲς ἴγιται πόνος, οὐδὲ κινδύνον γέμει τὸ πράγμα, ἀλλὰ δεῖ τοῦτ’ αὐτὸ μόνον κερδαίνειν πραγματευσμένος οὐδὲν” (PG 150:729). Drawing on a speech of Basil of Caesarea delivered in a period of famine, Cabasilas claimed that usury made the earth grow barren: “Χάλκου γὰρ καὶ χρυσοῦ καὶ τῶν ἀγόνων παρὰ φύσιν γεννώντων ἡ κατὰ φύσιν τίκτουσα γίγνεται στεῖρα” (PG150:748). The orthodox theologian and mystic lived in Thessaloniki and died in 1397. Basil’s Homily in Ps XIV was included in John of Damascus, “Περὶ δανειζόντων καὶ δανειζομένων,” in Sacra Parallela, 9 (PG 95:1365-1371). It is a representative anthology of biblical passages concerning the prohibition of usury. John was ordained priest in the early 8th century by Patriarch John V of Jerusalem. In the 12th century, usury was condemned by Eustathius of Thessaloniki on all grounds. See “τόκου. Οὐδὲ
it was self-perpetuating, an unjust gain made by availing oneself of the misfortune of others; it was a sin, according to a hagiography of the early 10th century, inextricably linked to “Deceit” and exploitation. On account of this, in a homily attributed to Amphilochius of Iconium, usury appeared as the defining characteristic of heresy. For, allegedly, no one was more enslaved to the passion of covetousness than heretics.

Not only do they enjoy in all security property that accidentally came to their possession but also they take care of others’ money as if it were their own and become treasurers and collect interests and profits. On the one hand the provide money on behalf of others and on the other they gain illegal profits only in order to stoke the passion of greed.

In the religious discourse of late antiquity, usury constituted the dividing line between Orthodoxy and heresy as well as between paganism and Christianity. Paganism was the religion of the misanthropic creditor, while the church claimed that it stood for the insolvent borrower and the interests of all the poor. Thus, Shenoute asked rhetorically, “Who again are those whose houses...” (continued...)


have been laid waste, so that they [have to] beg and sell themselves to their creditors or give themselves as pledges to the money-lenders – [men] just like this lawless governor who forgot the oppression of the poor? Is it your people or is it the communities of God (i.e., my monasteries)?”

In spite of the above, and though the public denunciation of usury continued to be sharp throughout the period under study, the church tacitly came to endorse the usurious practices of laypersons and became implicated in profitable economic transactions. Canon law was reticent about usury in the secular realm, as the church had to resort to credit to finance its ambitious and innovative charitable programme. Further, the poor members of the congregation and the imperial legislator had observed that in the absence of interest the wealthy would be reluctant to forward their money to those in need. Therefore, usury, within certain limits of course, was condoned as a necessary evil.

Accommodation with Usury for the Sake of the Christian “Welfare-State”

In the mid-14th century, during a period of decline and acute economic crisis, Alexandrios Macrembolites regretted the passing of a golden age of abundance when the wealthy took care of the poor in hospitals, hospices, old-age houses, and orphanages. In a period of social turmoil, it appeared that the wealthy had become more rapacious. Nevertheless, a certain nostalgia for an idealized bygone era proves not to be totally unfounded. From the middle of the 4th

17. Ibid., 43.


20. Jonathan Harris claims that the denunciations of usury by the Byzantine Church increased in the 14th century since “the new economic situation provided opportunities for a few while most of the population was excluded.” Jonathan Harris, “Constantinople as City-State c. 1360–1453,” in Byzantines, Latins and Turks in the Eastern Mediterranean World after 1150, ed. by Jonathan Harris, Catherine Holmes, and Eugenia Russell (Oxford: Oxford University Press, 2012), 134. In late antiquity inequalities were also steep, even though a non-negligible segment of craftsmen and traders acquired wealth and practiced usury. The denunciations of the church fathers were equally vehement for, in their view, the conspicuous consumption of the “middle classes” – they borrowed in order to buy luxury goods – was a token of insatiability and often led to insolvency. See Antigone Samellas, “The Anti-usury Arguments of the Church Fathers in Their Historical Context and the Accommodation of the Church to the Prevailing “Credit Economy” in Late Antiquity,” Journal of Ancient History 5:1 (2017), 139–45, 150. That critique is missing from the later Byzantine period, which is a period of economic contraction.
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century, the Christianized aristocracy tried, for the first time in antiquity, to create charitable structures that would meet the needs of the poor. The institutionalization of philanthropy by religious and imperial authorities was an innovation that had lasting effects. From 550 to about 700 CE, Egypt numbered 75 hospitals, while in Hermopolis in the first half of the 7th century, seven hospitals were in operation simultaneously. 21 Still, Justinian’s legislation makes evident that some cities had several hospices or poorhouses while others had none. 22

The legitimacy of the ecclesiastical elite, the tax immunities of the church23 and the outcome of the doctrinal power struggles of the Orthodox with the

21. Peregrine Horden, “Poverty, Charity and the Invention of the Hospital,” in Oxford Handbook of Late Antiquity, ed. Noel Lenski (Oxford: Oxford University Press, 2012), 729. Registers for the poor in the churches of Antioch, Gazu, Alexandria, in late 8th-century Constantinople during the Patriarchate of Tarasios, and at Nicaea during the episcopate of Theophylact of Nicomedia (d. 845). Later the monasteries assumed a greater role in charity. For all of the above see Judith Herrin, “Ideals of Charity, Realities of Welfare: The Philanthropic Activity of the Byzantine Church,” in Church and People in Byantium, ed. by Ruth Morris, Centre for Byzantine, Ottoman and Modern Greek Studies, University of Birmingham (Chester: the Bemrose Press, 1990), 151–59. Tesserae and seals attest to the aristocratic and imperial charities, mediated through the church in the first centuries and becoming increasingly more personalized from the 10th and 11th centuries onwards even though aristocrats continue to be founders of monasteries and administrators of charitable institutions. The idea was that one bought a place in heaven by practicing charity. As we read in the inscribed seal of Emperor Manuel Comnenus: “Here is a sale of a heavenly lot. And who is the merchant? Manuel the Emperor. The seal is venerable; Christ is the seller.” Béatrice Caseau, “L’exercice de la charité à Byzance d’après les sceaux et les tessères,” in Travaux et Mémoires 21/1 : Οὗ δῶρόν εἰμι τὰς γραφὰς βλέπων νόει / Mélanges Jean-Claude Cheynet, ed. Béatrice Caseau, Vivien Prigent, and Alessio Sopracasa (Paris: Association des Amis du Centre d’Histoire et Civilisation de Byzance, 2017), 47–50. In Antioch bishop Leontius (344–358) founded hostels for the poor and strangers. In Constantinople the Sampson xenon, the hospice for the sick established between 350 and 360 by an ascetic of Arian leanings was still in use in the 10th century; Wendy Mayer and Pauline Allen, John Chrysostom (London: Routledge, 2000), 47–48. The longevity of the poor house, ptocheion, established by Basil of Caesarea ca. 371 is attested in sources of the 5th and 6th centuries cited in Antigone Samellas, Death in the Eastern Mediterranean: The Christianization of the East: An interpretation (50-600 CE) (Tübingen: Mohr Siebeck, 2002), 215, note 93. Similarly, the hospital established by Ephraim the Syrian in Edessa in 370 during a period of famine was endowed with additional income by Rabbula during his episcopate from 411 to 435 CE. Life of Rabbula, trans. Robert Doran in Stewards of the Poor, the Man of God, Rabbula and Hiba in Fifth-century Edessa (Kalamazoo: Cistercian Publications, 2006), 100; he also established a hospital for women, ibid. 101.


23. Horden, “Poverty, Charity,” 732; “For just as the bishop’s power took the strange form of power without power, so the wealth of the church took the equally strange form of wealth
heretics\textsuperscript{24} hinged on the ability of the bishops to win over the poor to their cause. As the latter vociferously, and often violently, expressed their demands, bishops were forced to take usurious loans to satisfy the pressing needs of their congregation.\textsuperscript{25} So, in Antioch during the episcopate of Severus when the bishop was forced to leave his see, Severus implored the rich, “The poor having nothing to assuage their needs cried and complained lest . . . they did not receive the ten obols as was customary . . . Succor the Church that suffers hardship under the burden of debt and which cannot nourish all the needy nor clothe those who are nude.” Yet, observing the protests of the poor, during the bishop’s prolonged absence, some of the rich were “not ashamed through it [the Church] to demand onerous interests from the Messiah.”\textsuperscript{26}

The church had to resort to borrowing for several reasons. On rare occasions, inscriptions from Palestine and Syria record donations for the building without wealth. It was nominally the ‘wealth of the poor.’” Peter Brown, \textit{Through the Eye of a Needle: Wealth, the Fall of Rome, and the Making of Christianity in the West, 350–550 A.D.} (Princeton: Princeton University Press, 2012), 507; the issue was linked with “the integrity of church property” in Ibid. 508. With reference to canon 25 of the council of Antioch (330 CE) concerning the episcopal duty to administer well the ecclesiastical property for the benefit of the poor see Valentina Toneatto, \textit{Les Banquiers du Seigneur. Évêques et moines face à la richesse (IVe-début IXe siècle)} (Rennes: Presses Universitaires de Rennes, 2012), 189–96. In Roman law the authority to protect endangered life was one of the sources of political legitimacy: ibid., 204–205.

24. The Arian heresy survived in Constantinople on account of the popularity of Marathoniou’s poorhouses: Sozomen, 4.27.4-5, in Sozomène, \textit{Histoire Eclésiastique: Livres III-IV}, ed. Joseph Bidez, SC 418 (Paris: Cerf, 1996), 342–43. On this and numerous other sources relating to the Arian controversy see Carlos R. Galvao-Sobrinho in \textit{Doctrine and Power: Theological Controversy and Christian Leadership in the Later Roman Empire} (Berkeley: University of California Press, 2013), 149–51, and on the ability of bishops to mobilize crowds see ibid., 142. In early 4th-century Armenia, the Arian King Pap dismantled all the charitable institutions that the Orthodox Nerses had established to undermine his popularity. For this and other examples, see Samellas, \textit{Death}, 261.

25. In Antioch, \textit{lecitarii}, i.e., litter-bearers, gathered in the church and shouted in support of Hiba and against the edicts of the Orthodox. In contrast in 449 in the city of Edessa artisans and peasants took part in demonstrations and signed petitions asking for the deposition of the Nestorian Hibas: \textit{Syriac Acts of the Second Synod}, in \textit{Stewards of the Poor} 179, 144–45. Some of them carried arms. Silvia Acerbi in “Polarizzazioni sociali, clientelismi e rivolte popolari a Edessa in Epoca Tardoantica: Un Approccio Attraverso gli Atti Siriaci del II Concilio di Efeso (449),” \textit{Veleia} 27 (2010), 277–78; compare with Peter Brown, \textit{Power and Persuasion in Late Antiquity: Towards a Christian Empire} (Madison: University of Wisconsin Press, 1992), 102–103, 116. Bishops who were hated by the people for their greed were indicted in regional synods that were convened to quell popular disaffection, as occurred in 6th-century Palestine in Barsanuphe and Jean de Gaza, \textit{Correspondance}, Nr 793, Nr 802, in 245, 262.

of orphanages,\textsuperscript{27} hostels\textsuperscript{28} or hospitals.\textsuperscript{29} However, the preponderant majority of the epigraphic evidence relates to donations for the building of a church.\textsuperscript{30}

\textsuperscript{27} A Christian orphanage attached to a church in Caesarea Maritima (5th to mid 7th century) \textit{Corpus Inscriptionum Iudeae/Palaestinae}, vol. 2. Nr 1168, in 93; first attestation of \textit{ὀρφανοτροφείων} in C\textit{J} 1.2.17.2 (469 CE) in Frier/Blume vol. 1 (2016), 58 see also SEG 20, 468 for a “φροντιστικὸ ὀρφανῶν.”

\textsuperscript{28} In 397 CE in a village in Harran a collective ex-voto was built for a hospice for pilgrims and travellers (Ἀντὶ εὐχαριστίας καὶ μνημῆς . . . ἐτελέσθη τὸ κοινὸν πονδοχῖον)\textsuperscript{[sic]} and analogous edifices were built by bishops at Mutbin and Suweida: quoted inscription in \textit{Inscriptions Grecques et Latines de la Syrie} (IGLS) 15.1, ed. Anne Marie-Fauriat and Maurice Sartre (Beyrouth: Institut Français du Proche-Orient, 2014), Nr 263, in 327, and Nr 264 in 328. For hagiographic and patristic evidence see Wendy Mayer, “Welcoming the Stranger in the Mediterranean East: Syria and Constantinople,” \textit{Journal of the Australian Early Medieval Association} 5 (2009), 89–106.


\textsuperscript{30} Κύριε ...βοήθησον τῷ διακόνῳ τῷ φιλοκτ(ίστῃ)... (BE 2002, 470) and copious examples in Christoph Begass, “Φιλοκτ(ίστης). Ein Beitrag zum spätantiken Euergetismus,” \textit{Chiron} 44 (2014), 177–89. The church, built by Marinos in Apollonia near Caesarea Maritima ca. 5th–6th century, weaves its own praises: “I am a church better than ambrosia and nectar; Marinus erected me too (exalting) God, who plans famous things.” Μεϊμάρη/Μακρυγιάννη,Ερνος Κύδιμον, Nr 19, 55. As late as the 13th century, ca. 1250, an inscription from Agios Athanasios, in Makrinitsa, in Thessaly, celebrates, “the glorious man . . . who built a luminous church, which touches the sky and is in every aspect fully delightful, crowned with variegated colors.” For this elaborate epigram of the aristocrat Neilos Maliasenos, who became a monk shortly before his death, see \textit{Byzantinische Epigramme auf Stein nebst Addenda zu den Bänden 1 und 2}, ed. Andreas Rhoby (Wien: Verlag der OAW, 2014), Nr 83, 286–87.
The survival of the spirit of materialism, characteristic of ancient monumental euergetism well into the late 6th century and beyond, is also attested by sacred iconography that immortalized images of commercial dealings and tokens of prosperity. Further, apart from vainglory, class prejudice influenced the patterns of munificence. As Wendy Mayer has shown, the Christian aristocracy favoured in their donations those who had espoused voluntary poverty rather than the economic poor. Contempt, disgust and mistrust were the prevailing attitudes toward beggars. Moreover, ample documentation substantiates the pervasive corruption plaguing the Christian welfare state. Finally, after 350 CE, in a period of economic recovery when, apart from the very poor, all social classes resorted to credit, the wealthy strata of Antioch preferred to give alms from the interest of the loans they had forwarded to the borrowers either directly or via a bank deposit.

For all of the above, the late 4th and early 5th centuries constitute a turning point in respect to the Orthodox attitudes towards usury. In the view of Chrysostom, it was unacceptable for the church to receive alms from the profits

31. For instance, in the early 6th century on the mosaics of the church of the Bishop John at Khirbet-Barqua-Gan Yavneh, a village near the coastal region of Palestine, and in other churches of the region, we see depictions of ships laden with wine or oil jars, camels laden with wine jars, and domestic animals. Traditional images of abundance and prosperity were put under the protection of the church. Lili Habas, “The Mosaic Pavements and Liturgical Furniture of the Church of Bishop John at Khirbet Barqa Gan Yavneh,” in Christ Is Here! Studies in Biblical and Christian Archaeology in Memory of Michelle Piccirillo, ofm, ed. Leslaw Daniel Chrupcala (Milano: Edizioni Terra Santa, 2012), 131–38. Similarly, in the late 13th century the mural painting depicting the Veneration of the Icon of the Virgin Hodegetria, in Vlachernae Monastery in Arta, depicts a bazaar that was set up every Tuesday for the celebration of the occasion: from the inscriptions we know that there is a woman selling cabbages, a grocer selling vegetables, and a khazar selling caviar. The fair and the litany in honour of the icon of the Virgin coincided. Stefanos Kordosis, “The Depiction of a Khazar Selling Caviar in the Monastery of Vlachernae, Arta,” in Inscriptions in the Byzantine and Post-Byzantine History and History of Art, ed. Christos Stavrakos (Wiesbaden: Harassowitz, 2017), 111–20, 132.


33. Samellas, Death, 274-75.

of usury. A hagiography of the 12th century cited him as having said, “Those who spend money from illegal profits on alms are like those who want to honor God by committing pious theft.” The 14th canon of Basil of Caesarea, however, stipulated otherwise: namely, “He who takes interests, if he consents to spend his unjust gain upon the poor, and thereafter to be freed of the disease of avarice, shall be received into the clergy.” Presumably laypersons who did not want to become priests could donate alms from the gains of usury. Rabbula of Edessa seems to have advanced loans to indebted craftspeople before he mounted the episcopal throne. In the 6th century exemplary saints, like Andronicus the banker and his wife, donated one-third of the profits of their trade to charity.

Allegedly for the purpose of meeting the needs of charity, churches and monasteries became involved in buying and selling wine and oil, acquired commercial fleets, and of course practised usury. In late antiquity this was usually

35. Chrysostom, Hom. 1 Cor. 43,4 (PG 61: 373-374).
36. “Οἱ ἀπὸ τῶν αἰσχρῶν κερδῶν ἐλεημοσύνας ἀναλίσκοντες ὅμοιον τι ποιοῦσι τοῖς ἀπὸ ἱεροσύλης θεοσεβοῦσιν.” This and many other similar apophtegmata attributed to Chrysostom are cited in Etienne Sargologos, La vie de Saint Cyrille le Philéote moine byzantine (1100 CE) Subsidia Hagiographica 39. (Brussels: Société des Bollandistes, 1964), 151, 378.
38. Rabbula, shortly before he died, when he was making his will, “forgave all the debts which he had inherited and tore up the deeds by which he had lent a great deal of gold to the craftsmen,” Presumably the loans were forwarded in the period before his elevation to the bishopric of Edessa. Life of Rabbula, in Stewards of the Poor, 103.
40. Michel Kaplan, “L’Économie du Monastère de la Kosmosoteira fondé par Isaac Comnène d’après le Typikon,” in Mél. C. Morrison, 465–66. For the economic rationality of the monasteries in the middle and, especially, in the late byzantine period in the sense that they aimed at the maximization of profits, see Kostis Smyrnis, La Fortune des grands Monastères Byzantins: Fin du Xe-Milieu du XIVe siècle (Peeters, 2006), 228–33, 245–46. They spent a very modest part of their surplus in charity. Ibid., 213, n. 215, 214–15, 240. In the 10th century, the monastery of Saint Chrestophoros lent money at interest to a monk so as to buy land. In the same period in mount Athos, the monastery Iviron engaged in production for the market. “Paradoxically the monks were the first to abandon the ideal of self-sufficiency that traversed the Byzantine society in its entirety,” Michel Kaplan, Les hommes et la Terre à Byzance. Du VIe au XIe siècle. Propriété et Exploitation du Sol (Paris: Publications de la Sorbonne, 1992), 306,
concealed, for the interest was reckoned as part of the borrowed capital, and when declared, it often conformed with the rates established by Justinian for the laity. In the 12th century, according to the canonist Balsamon, it was “common for clergymen to lend money on the pretense that they were partners in enterprises.” Thus, they recovered their capital with interest without sharing the liabilities, as usually happens in partnerships. Throughout the period under study, monasteries and churches forwarded loans for productive purposes. Further, according to Balsamon, clerics were forbidden to operate money-changers’ tables (καταλλακτικὰ τραπέζια) – that is, banks and commercial enterprises – but not to own them. In the beginning of the 9th century, Theodore Studites denounced the bishops who speculated during periods of famine. In the 13th and 14th centuries, monasteries acquired the property of indebted peasants. In spite of the above, imperial law, heavily influenced by Christian ethics, took into consideration the plight of the poor even when it undertook to implement a less rigorous policy on usury.

304. In 1093 CE, Saint Christodoule bequeathed to the monastery of Patmos four ships. Two of these were managed by lay entrepreneurs to whom the monastery had entrusted a sum of money which they ought to invest in a profitable way. Pagona Papadopoulou, “Le Chichaton et les Noms de Monnaies à la fin du XIe siècle,” in Mélanges C. Morrisson, 650. Evidence from late antiquity for the fleets of monasteries and churches in Samellas, “Anti-usury Arguments,” 160–61, 165. Nevertheless see also the remarks of Toneatto, for the same period: “Cette ‘rationalité’ de la vie au monastère n’a jamais été comparée ici à la recherche du profit purement économique: il ne s’agit pas d’une tendance qui préfigure les futures lois du marché, mais de logiques complexes qui relient le champ de l’administration à celui du gouvernement de la communauté et qui font coïncider la bonne gestion de l’entreprise monastique avec la recherche du salut.” Valentina Toneatto, Les Banquiers du Seigneur, 385.


43. Gerolymatou, ibid.

44. Ibid., 215–16.


46. Smyrlis, La Fortune des grands Monastères, 156 and note 390.

“Nobody Will Give over Their Money Unless Motivated by the 
Expectation of Interest.”

In Novella 83, Leo VI the Wise (886–912) exhibits in an exemplary fashion the Christian attitude toward law. It would be good and salutary, he writes, if humans contented themselves with the laws of the Holy Spirit and dispensed with the rules of conduct humans impose. But since few can rise up to the height of the Spirit by climbing the ascending path of virtue, it would be good if social relations were ruled according to human law.

The legislation of the Spirit (i.e. the canons) condemns in every case lending at interest. Taking this into account our Emperor and father (i.e. Basil I), of eternal memory, resolved to prohibit by decree lending at interest. But this arrangement instead of leading to an improvement of the situation, as was the legislator’s intention, deteriorates it because of the great poverty. For those who were previously willing to advance a loan, expecting an interest, from the moment the law made it impossible to earn profit from lending, show themselves uncharitable and ruthless towards those who need this assistance. Further it has been observed that thus people are given the pretext to take oaths, and as it usually happens, to abrogate them . . . Without wanting to indict the law in itself because, as already stated, humans, cannot stand up to its height,


49. Greek text of Novella 83 and comments in Σπύρος Τρωιάνος, Οι Νεαρές Λέοντος Σ’ του Σοφού (Athens, Ηρόδοτος, 2007), 244; see “δικαίω, φησὶ, νόμος οὐ κεῖται. Διὰ τί; Ὑπὲρ κολάσεως ἐστιν ἐκτός, καὶ ὅτι οὐ περιμένει τὰ πρακτέα παρ’ἐκείνου μαθεῖν, ἐξάλλου ὠπορεῖσσουσαν τὴν τοῦ Πνεύματος χάριν.” Chrysostom, . (PG 62:511). “Leo strove for the ideals of equality (in the sense of equal treatment of all people in similar circumstances), justice, peace, piety, forgiveness.” Theodora Antonopoulou, “Emperor Leo VI the Wise and the ‘First Byzantine Humanism,’” in Travaux et Mémoires 21/2 : Autour du Premier humanisme byzantin & des Cinq études sur le Xle siècle, quarante ans après Paul Lemerlee, Bernand Flusin and Jean-Claude Cheynet (Paris: Association des Amis du Centre d’Histoire et Civilisation de Byzance, 2017), 217. On his remarkable knowledge of the patristic and classical traditions as well as his deep religiosity, which did not preclude an attachment to the joys of life see ibid., 200–25.
we abolish this correct legal provision stipulating in its place that lending at interest is allowed according to the arrangements of the old legislators.\textsuperscript{50}

Leo the Wise argued that in the absence of a legal agreement guaranteeing the payment of some interest to the lender, both parties involved would have taken oaths that they, in all likelihood, would later have abrogated, proving thus dishonest to one another. This minor argument expresses a characteristic Christian wariness of the marketplace. On account of their uncertain and opaque character, economic transactions bred mistrust and hatred of one’s fellow humans.\textsuperscript{51} In the context of an informal lending agreement, oath-taking was a token of duplicity.

Of importance is the rationale that led Emperor Leo to the restitution of the legislation of Justinian. As the prefaces to his Novellae make evident, he took into account in his enactments the limits of human nature, popular appeal, custom, and, above all, the divine law.\textsuperscript{52} The toleration of moderate usury was a measure dictated by concern for the interests of the poor. In a time

\textsuperscript{50} Τρωίανος, Οι Νεαρές, 244. “Old legislators,” that is, Justinian. The arrangement of Justinian was the following: Persons of illustrious rank were not allowed to stipulate an annual interest higher than 4 percent, those in charge of workshops higher than 8 percent, those forwarding maritime loans and interest in kind not higher than 12 percent while all the other people could not charge an interest higher than 6 percent. 4.32.26.1, in \textit{The Codex of Justinian}, vol. 2, ed. Bruce Frier (Cambridge: Cambridge University Press, 2016), 952–53. According to Gofas, Emperor Leo set the legal rate of interest at 4 percent per year: Demetrios Gofas, “The Byzantine Law of Interest,” in \textit{The Economic History of Byzantium}, ed. Angeliki Laiou (Washington: Dumbarton Oaks Research Library, 2002), 1100.

\textsuperscript{51} In Justinianic law, \textit{iusurandium necessarium} was the ultimate means of proof in the absence of other kinds of proof. So in a story in the \textit{Apophtegmata Patrum}, a rich man who has borrowed an amount of money from another wealthy friend and has lost the document that proved he had paid the debt takes an oath. Oath-taking showed that he doubted the sincerity of their friendship; it was a way of questioning the honesty of the other party, which was typical of envy and hatred of one’s fellow man. (“τοῦτο φθόνου ἐστὶ καὶ μισαλληλίας”) Stephanos Efthymiadis, “\textit{De debito bis solute}: An Edifying Story on the Administered Oath (BHG Novum Auctarium 1317n),” in \textit{Fontes Minores} 11, ed. Ludwig Burgmann, Forschungen zur byzantinischem Rechtsgeschichte 26 (Frankfurt am Main: Löwenklau Gesellschaft, 2005), 244–46, 246–47, with the comments of the editor in 239.

\textsuperscript{52} Σ. Τρωίανος, “Λέων ο Σοφός: νομική σκέψη καὶ κοινωνική συνέιδηση,” in idem Οι Νεαρές, 416–18. “Another consequence of the concept of God as the ultimate source of law and justice could be what I call the semi-immortality of legal rules. They can be consigned to silence, robbed of their validity banned from the ‘legal structure’ but they remain in store, patiently awaiting their possible resurrection.” Jan Lokin, “Law and Legislation in the Law Books,” in \textit{Law and Society in Byzantium: Ninth–Twelfth Centuries}, ed. Angeliki E. Laiou and Dieter Simon (Washington: Harvard University Press, 2004), 90, see also 86. Thus Justinian’s legislation came again to the fore in the time of Leo the Wise and the abolished measure of Basil I was resurrected in the 14th century.
of economic crisis, the law of Basil I that had abolished interest rates aggravated credit penury and caused a rise in the effective interests. It is revealing that already in 585 CE in Mesopotamia, “upon the demand of the poor debtors and on account of their great poverty, many times the leaders of the church themselves have refrained from blaming the lenders who took a moderate interest.” Although the Nestorian bishops condemned the “gangrene” of usury, they judged someone who lent at the legal rate of 1 percent per month as relatively magnanimous. For similar reasons, in the mid-5th century Simeon the Stylite did not prohibit usury but simply recommended halving the rate of interest, making it 6 percent instead of the official 12 percent per year. Many working poor and holy men borrowed money to assist the needy, even though this practice was frowned upon by the ecclesiastic and monastic authorities. Therefore, the law of Leo VI took the necessary provisions in order to ensure the availability of credit to both laity and clergy.

In Times of Crisis the Decisions of the Patriarchal Court Favoured the Borrowers

In the Paleologian period of the 14th century, civil strife, famine, and the ensuing flight of civil officials amplified the jurisdictions of the Patriarchal court. During this time, and especially during the period 1399–1402 after the Emperor Ioannes V had left for the West searching for help, the patriarchal synod under Patriarch Matthaios issued a series of verdicts that are representative of the

56. A pious Christian asked John of Gaza whether it is allowed to borrow money when you are asked to give alms and you have nothing to give. Invoking Acts 3:6 (I have no silver and gold, but I give you what I have) the spiritual guide advised the pious Christian not to borrow money for alms for he himself who was of modest means might find himself in dire straits. Barsanuphe and Jean de Gaza, Correspondance, Nr 620, 42. Even monks who had money borrowed in order to give alms in Vita S. Nili Junioris (PG 120:49) (9th–10th century) with the comments of Nikos Oikonomides in “Σε ποιό βαθμό ήταν εκχρηματισμένη η βυζαντινή οικονομία,” in Social and Economic Life in Byzantium (Farnham: Ashgate, 2004), 367.
concern of the Orthodox church for the borrowers who found themselves in straits. A case in point is the following: Panopoulos had borrowed 300 hyperpyra from Kalokyres, putting up as security the house he had bought from the monastery of the Mother of God at Odegoi. Panopoulos was given a year to pay back his debt, burdened with 15 percent interest. In case of default, Kalokyres would gain full ownership of the house. After petition of the creditor, the imperial court had sanctioned the contract. The borrower, however, solicited “the assistance of the church which was customarily given to the poor for the abolition of interests, and as usual it was given to him.” Under the threat of excommunication, the patriarch had obliged the creditor to choose between two options: either to content himself with the return of the capital alone, abdicating himself from any claim on the mortgaged house; or to keep the house, after accepting its re-evaluation, and return everything that exceeded the capital to the borrower. It was a verdict that “respected the decision of the synod or rather the teachings of the gospels and the established custom.”

57. Eleftheria Papagianni, “Un témoin de la réalité juridique byzantine: la jurisprudence patriarcale au XIVe siècle,” in Fontes Minores 11, 215, 221. Further, the great increase in the activity of the synodal court, especially during the reign of Patriarch Matthew, might be attributed to the personal influence of the Patriarch.” Spyros Troianos, “Byzantine Canon Law from the Twelfth to the Fifteenth Centuries,” in The History of Byzantine and Eastern Canon Law to 1500, ed. Wilfried Hartmann and Kenneth Pennington (Washington: The Catholic University of America, 2012), 197. On the other hand, Christos Malatras claims that the increase of documents, first, during the period of the early second patriarchate of Philotheos Kokkinos (1364–76) and then during the last two years before the deposition of Patriarch Matthaios I in 1402 was possibly due to “a more diligent registration of the activity of the Synod.” Besides, “the Patriarch always ranked second and depended on the emperor for his election.” Christos Malatras, “Trial process and Justice in the Late Patriarchal Court,” in The Patriarchate of Constantinople in Context and Comparison, ed. Christian Gastegeber et al. (Wien: Österreichischen Akademie der Wissenschaften, 2017), 162. Moreover, the wealth of the church continued to be dependent on imperial munificence. Kostis Smyrlis, “Priesthood and Empire: Ecclesiastical Wealth and Privilege under the Early Palaiologoi,” in Ibid., 97–103.


59. Ibid.; Papagianni, “Un témoin de la réalité juridique,” 218. In the epitaph to Patriarch Antonios II Kauleas (893–901) the writer claims that the Patriarch Antonios helped the poor, who resorted to him to ask for justice. Therefore, often, the poor or women brought their case to the court. Significantly this right was recognized by others. Nevertheless the cases where only poverty and loans were discussed were a minority; most cases concerned dowry disputes, where, often, the women’s property had been mortgaged by their husband in order to obtain a loan. Malatras (2017), 164, note 27, 174, 169. The threat of excommunication might be an effective means of eliciting the truth from witnesses and the compliance of the accused with the law, both imperial and ecclesiastic. Ibid., 167, 169.
Already in 1324, under the Patriarch Isaiah, the synod had decided that interests were forbidden according to the “sacred laws,” that is, the law of the emperors. Indeed, in the early 14th century, the law of Basil I, subsequently abolished by Leo VI, had been reinstated, “for the payment of interest is unworthy of the Christian way of life.”

In another decision concerning the sale of monastic property that likely had been used as security, Matthaios I stated, “What could be more impious for those who have been commanded not to lend money at interest to their kin than . . . to demand and grab interests and profits?” The commandment in Deuteronomy 23:21, “You lend at interest to a stranger not to your brother,” provided the moral context for the prohibition of usury in the last century of Byzantium, and indeed throughout the period under study. In an effort to put to task their coreligionists for ignoring the needs of their brethren, Cabasilas and Macrembolites juxtaposed the philanthropy of Jews and Muslims to the callousness of Orthodox Christians.

When there was divergence between secular and religious law, the former was interpreted according to the principles of the latter. The Peira did not grant even a four-month period of grace to the insolvent borrowers on the ground that it would have been impossible for them to fetch the money to pay back their debts. Matthaios I rejected this article, arguing that, above all, the poor needed time to find some assistance.

60. Quotation from a comment on the article of Procheiros Nomos dating from the 10th century, cited in Papagianni, ibid. 219, note 25.
62. Deut. 23:21 provided the ground for Matthaios’ decision: Papagianni, “Un témoin de la réalité juridique,” 222. For the use of the phrase τῶν ὁμοφύλων to denote that usury is to commit an injustice against one’s kin, see also Cabasilas’ plea to Anne Savoy, 231, 122. Christians as “niggardly towards their kin,” “γλίσχρους πρὸς τὸ ὁμόφυλον,” in Makrembolites, Dialogue between the Rich and Poor, in Sevcenko, Society and Intellectual Life, 205, 14, and translation in 218.
63. “ὅσον δὲ τὸ ἄτοπον, Ἑβραίους μὲν καὶ τοὺς τοῦ Μωάμεθ φιλανθρώπους εἶναι καὶ ἐλεήμονας, τοὺς δὲ Χριστοῦ μαθητὰς, τοῦ φύσει φιλανθρώπου καὶ ἐλεήμονος, ἀσυμπαθεῖς εἶναι . . . πρὸς τὸ ὁμόφυλον.” Alexios Macrembolites, 205,11–14. Jews and the barbarians that inhabited Palestine and the Latins respected the law that prohibited usury: Cabasilas, Against the Usurers (PG 150:735–36). In contrast in the West, though according to the Dominican friar Ferrer (1350–1419) almost everyone committed usury, the Jews were expelled from France “on account of their usuries.” It was believed that the Jews expelled from France in the period 649–1316 invented the bills of exchange. But that was a legend. Francesca Trivellato, The Promise and Peril of Credit: What a forgotten Legend about Jews and Finance Tells Us about the Making of European Commercial Society (Princeton: Princeton University Press, 2019), 59, 8, 12.
The borrowers often had to sell their property to meet the demands of their creditors. In this light we understand the Patriarch’s remark, “All who sell something do so under constraint or because they are burdened by debt.” Imprisonment was often used as a means of pressuring borrowers to cede all their belongings to the creditor.65

At this specific historical moment, the Orthodox Church responded to the crisis and defended the interests of the distressed borrower, appealing to the authority of the gospels as well as to Deuteronomy 23:21, which had been included in the 7th/8th-century collection Nomos Mosaikos. It also sought the sanction of custom and imperial law, without hesitating to reinterpret imperial law in conformity with Christian morality.

Conclusions

We have seen that the church fathers condemned usury on the same grounds that they indicted the market: both involved duplicity, deceit, mistrust, exploitation, opacity, and contracts that contravened divine law, which treated all humans as equals. Worse, usury represented the pathology of greed and often consigned the borrower to debt bondage.

However, by the late 4th century, illegal gains came to be condoned to the extent that a part of them was directed to meet the needs of the poor. The banker of the 6th-century hagiography who gave one-third of his earnings to alms stood as a model for imitation. At other times, emergency situations forced the church to accept usurious loans to fund its philanthropy. The debt-ridden church of Antioch, in response to vociferous popular demand to resume its charitable practices, which had been interrupted, had to resort to borrowing on unfavourable terms in order to re-establish its assistance to the indigent of its diocese.

Piety was not divorced from a certain pragmatism. Emperor Leo the Wise acknowledged that the divine law prescribed the uncompromising condemnation of usury yet accepted a very moderate interest so as to avert credit penury. As the late 6th-century Nestorian synod of Mesopotamia indicates, even the poor themselves were aware that nobody would give them a loan without expecting some gain.

In the Paleologian period, Patriarch Matthaios I exhibited moral discernment: the decisions of the patriarchal court took into account the adverse effects that the economic crisis had on the relatively well-to-do strata and supported impoverished borrowers by allowing them not to pay interest on the loans they had taken.\textsuperscript{66}

Borrowing for the sake of speculation was complementary to the most onerous usury. A monk purchased grain on credit well above the needs of the monastery in anticipation of a period of dearth or possibly in view of reselling it. Pachomius was furious at him on the grounds that the monastery might have been unable to repay the loan, and further that he was opposed to speculation.\textsuperscript{67} Similarly the neighbour of a wealthy merchant from Isauria who lived in Egypt borrowed 50 denarii from him, promising that he would later share with him the profits and the interests that he would earn. The borrower “sold and bought, took and gave,” so that in three years he had become very rich. He then refused to honour the terms of the contract and tried to deceive the lender by stealing the written agreement from his house. With the help of Saint Coluthos, the merchant recovered the 50 denarii he had lent to his neighbour and then donated them to the church, adding 20 more denarii. As to the dishonest Christian who had committed perjury, he died paralyzed.\textsuperscript{68}

The morals of the edifying tales are simple. Firstly, it is not legitimate to borrow for speculative purposes. Secondly, economic and social relations are based on trust; the agents involved in them have to keep their promises. Thirdly, profits are to be redistributed. Ideally, only on these conditions could one serve both God and Mammon.

On all counts, usury as practised in the current phase of financialized capitalism contradicts the aforementioned ethical preconditions of profit-making. Financial products such as the credit default swaps (CDS) capitalize on broken promises. According to anthropologist Arjun Appadurai, “The CDS is actually

\begin{footnote}{66. In contrast, in the ecclesiastical courts of late medieval France, excommunication was reserved for debtors and not for creditors. “The most minor and the most common debts incurred the most serious sanctions . . . The debtor’s perjury wounded another of Christ’s members at the same time as his or her contumacy flouted the Church’s authority.” Tyler Lange, \textit{Excommunication for Debt in Late Medieval France} (Cambridge: Cambridge University Press, 2016), 47, 73.}
\begin{footnote}{67. \textit{Paralipomena De SS. Pachomio et Theodoro}, 21–22, in Sancti Pachomii vitae graecae, ed. François Halkin. Subsidia Hagiographica 19 (Bruxelles, 1932) 147–49.}


a speculative bet on the certainty that one of the two parties who made a promise will break the promise [i.e., a country will default on its debts] . . . In the middle of 2008, there was a sum of 55$ trillion at play in the market for broken promises."

Further, the prevailing form of usury aggravates social inequalities. Speculation in real estate, for instance, makes it increasingly harder for lower income groups to rent a house at reasonable prices and creates a shortage of bank loans at affordable rates for purchasing, say, solar panels.

The current form of usury institutionalizes mistrust and perjury, rends the social fabric, and creates an economy of waste, exploitation, and misappropriation of invaluable natural resources. It leads humankind into debt bondage and the planet toward extinction. As the Orthodox church fathers well understood, it compromises the free will and equality of humans sanctioned by divine and natural law. It undermines Christian ethics, according to Isidore of Pelusium, who wrote in the early 5th century: “If I am truthful, even if I seem to be defeated, I have won. However if I gain supremacy by deceit, even if I seem to have won, I have been defeated.” As a deacon of the great church in Jerusalem Socratically insinuated in his funerary epigram: It is better to suffer an injustice than to commit an injustice.


71."Ἀληθεύων μὲν γὰρ, κἂν ἠττήσθαι δόξω νενίκηκα· ἀπάτῃ δὲ κρατήσας, κἂν νενικηκέναι δόξω, ἦττημαι," Isidore of Pelusium, 401 (PG 78:1566).

72. “ἀδικηθεὶς οὐκ ἀδικήσας” Meimari/Makrygianí, Ἀνθολογία ἑλληνικῶν ἐπιγραφῶν, Nr 81, in 177–78. The epigram dates from ca. 450 CE.
How did Calvin in the 16th century come to a different opinion on usury? It was an old and well-established tradition in church and society that usury or asking rent for a loan was to be rejected. What brought Calvin to his remarkable reinterpretation? In this short contribution I want to give a rough overview of the tradition, subsequently I will present Calvin’s exegesis and hermeneutic on the law in general and his reinterpretation of passages related to usury. I will close with a few and brief conclusions.1

The Traditional View on Usury

For many centuries, the doctrine of the church on usury has been clear: It was prohibited to take any form of interest. The rule was founded on passages like Exodus 22:25, Leviticus 25:35-38, and Deuteronomy 23:19-20. It is worthwhile to quote them here right at the beginning of our discussion. Exodus 22:25 reads: “If you lend money to my people, to the poor among you, you shall not deal with them as a creditor; you shall not exact interest from them.” Leviticus 25:35-38 reads:

If any of your kin fall into difficulty and become dependent on you, you shall support them; they shall live with you as though resident aliens. Do not take interest in advance or otherwise make a profit from them, but fear your God; let them live with you. You shall not lend them your money at interest taken in advance, or provide them food at a profit. I am the Lord your God, who brought you out of the land of Egypt, to give you the land of Canaan, to be your God.

Finally, Deuteronomy 23:19-20 reads:

1. This work was supported by the Templeton World Charity Foundation, Inc. The opinions expressed in this publication are those of the author and do not necessarily reflect the views of Templeton World Charity Foundation, Inc.
You shall not charge interest on loans to another Israelite, interest on money, interest on provisions, interest on anything that is lent. On loans to a foreigner you may charge interest, but on loans to another Israelite you may not charge interest, so that the Lord your God may bless you in all your undertakings in the land that you are about to enter and possess.

These passages are in themselves clear enough and have for a long time been decisive for the way the church regarded interest. It was a tradition that heavily leaned on Aristotle, who taught that money does not yield any fruit on its own. If you put money in a box, it will not increase. Therefore, it was a kind of theft to ask for more than what was given as a loan. In the practice and the teaching of the church, this became the general opinion and rule of behaviour, particularly for the clergy. In 314 CE, it was officially forbidden for clergy to take interest. At the time of Charlemagne (8th century), usury was listed as a criminal offence. In 1179, the Lateran General Council declared excommunication as a just punishment for usurers and ordered a refusal of a Christian burial. In the beginning of the 14th century, under Pope Clement V, the ban on interest became absolute (1312). The practice of lending at interest continued, despite the church condemning it. The positive law, taken from the Bible, was clear.

The Social and Economic Context

Against the background of this established opinion on usury as a bad and generally condemned practice, it is amazing that Calvin developed another perspective. What were the reasons? I will here briefly mention some causes. The social and economic situation changed in the later medieval times. Voyages of discovery, invention of new tools, the rise of independent cities, and the increasing importance of the citizenry led to radical changes in society. The changes caused a breakdown of the closed economy of the medieval times: instead of production that stayed within local borders, an open economy with trade and transportation of goods over long distance began to develop. International trade required large funds, an increasing concentration of capital, and a need for credit provided by banks. In those centuries, the city of Geneva was particularly affected by societal transformations. The town was built on the crossroads of several trade routes. It had to face the challenges of an increase in population

and the need for food, and consequently it needed commerce and trade as arteries for the life of the city. It is even possible to say that due to these circumstances Geneva was destined to become a birthplace for a more differentiated view on the question of interest.  

Yet, changing social and economic conditions are within themselves never enough to bring about a change in attitude or view; people who are willing to face a new situation and are at the same time deeply rooted in the same traditions of faith and learning require the task of discernment. Only then, and not outside that riverbed, can a successful and acceptable reinterpretation happen. As a thinker embedded in classical thought and an exegete of biblical scripture, Calvin found a way to reinterpret the traditional stance toward usury through a double process. On the one hand, he acknowledged the changes in the social and economic world he lived in; on the other hand, he found a theological and spiritual tool for discernment in his interpretation of the Christian message. His theology is steered by a hermeneutic that is not only Christ-focused, but on a more profound level well-informed by a broad pneumatology. The Mosaic Law has its fulfilment in Christ, but at the same time this law and its (political and ethical) regulations are drawing from the universal work of the Spirit of God. “The Spirit of God is the sole fountain of truth,” writes Calvin, and when we would deny that the Spirit was already at work in the work of ancient jurists who established civil order with great equity, we would despise the gifts of the Spirit. It is here that an important notion for Calvin comes to the fore: equity (aequitas).

Calvin’s Interpretation of the Law

For a correct understanding of Calvin’s explanation of the law, it will be necessary to be aware that the law can only be rightly understood when the relationship between law and legislator is taken into account. Law in itself is not God; it is given and ordained by God. For Calvin the whole law, the commandments and all regulations flowing from that source, must be interpreted within the covenant that God made with Abraham, which was confirmed at Mount Sinai and fulfilled by Jesus Christ. The lawgiver is the eternal God, the Father of Jesus Christ. This also has a bearing on the way the eighth commandment is to be

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4. See Biéler, *Calvin’s Economic and Social Thought*, 139–79.
7. See the study of I. John Hesselink, *Calvin’s Concept of the Law* (Allison Park: Pickwick
understood: You shall not steal. For Calvin these few words must be regarded as a synecdoche: a short statement that only partially indicates a larger whole. The larger whole is in this case the way humans deal with what they possess. In this context, he extensively discusses the practice of usury.

The eighth commandment is part of the second table, where the relations between human beings are at stake. The second table should, however, be related to the first four commandments of the first table, which clarify the basic situation of the human being and its implications for piety: God presents himself to the people as the one who has liberated Israel. He is the one and only God. God is the owner of the Earth and “those who dwell therin” (Ps. 24:1). “Deo enim, non nobis, nati imprimis sumus, sed Dei,” writes Calvin in his response to Jacopo Sadoleto: “For God, and not for ourselves, we are born in the first place.” This adage is not only a general theological statement about the human situation, but also applies to all that people possess and that is available to them. God is the giver of life and has entrusted human beings with all kinds of goods. Nevertheless, God remains the owner, and people receive it as a gift with a loan. This acknowledgment of life as a gift has an immediate bearing on how people have to deal with their possessions. From a theological point of view, they are supposed to freely give or to give in loan to those who are poor and needy. This should be practised with a free heart and should be the point of departure between human beings in social and economic affairs. To be more concrete, social and economic affairs should be determined and driven by equity and love.

From the general impression of Calvin as being a stern and rigid theologian, this might come as a surprise: the essential relationship between God and the human being must be characterized by love. Love is the centre of the covenant. The utmost requirement of the fulfilment of the law is the love of God.

This is the context for the eighth commandment as well, which is, as John Hesselink writes, “ultimately a command to love.” Calvin starts his exposition with the words, “Since charity is the end of law, we must seek for the definition of theft from thence.” He continues, “This then is the rule of charity, that everyone’s rights should safely be preserved, and that none should do to another, what he would not have done to himself.” These last words are said in remembrance of the Golden Rule as stated in Matthew 7:12, but in a positive sense: “In everything, do to others what you would have them done to you,

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for this sums up the Law and the Prophets.” For Calvin, the Golden Rule is a
description of equity. The Law of Moses, on the whole, is an exposition of what
justice will mean in different situations, but these regulations should also be
regarded as falling under the broader norm of the goal and essence of the law:
that is, to love the neighbour. It is not only a civic duty not to harm others, it is
also a command to grant other human beings life and to support them through
the possessions and possibilities available to them. So, the law is not a number
of norms and regulations that are important in themselves, but is part of the
covenant that God has made with the people of Israel. Thus, while interpret-
ing the law through love, Calvin undermines a way of thinking of justice as
falling under the logic of “do ut des.” When taking love as a starting point, it is
no longer possible to think of justice as something that is essentially negative
and restrictive; it is, rather, a dynamic reality that favours charity. The matrix of
justice is still reciprocity and equality, but at the same time Calvin stresses that
justice goes beyond the contractual relations: the rich have specific obligations
toward the poor, because they are poor. So here the meaning of equity in Cal-
vin’s theology is important: Equity refers to the distinction between the letter of
the law and an appropriation of the law imbued “by a transformed life flowing
from the union with Christ.”

This leads to a different way of thinking and reasoning. The relationship
with the neighbour goes far beyond a restrictive justice. Also the command-
ments on the second table are part of a life that is called to serve and worship
God, showing the gratitude to God for our own life and good. Therefore, the
meaning and range of the eighth commandment goes far beyond merely forbid-
ding theft. The negative carries with it a more positive meaning. The believer
should be attentive to the needs of those who are needy and poor. Suddenly,
the expositions of Calvin obtain a relevance and power that the modern reader
hardly expects. Those who refuse to take care where they could and had pos-
sibilities to do so are the real thieves. They take away from the poor what is
essential for their living. Commenting on Deuteronomy 24:6, Calvin writes,
“He then, is as cruel, whosoever takes in pledge what supports a poor man’s life,
as if he should take away bread from a starving man, and thus life itself, which,
as it is sustained by labor, so, when its means of subsistence are cut off, is, as it
were, itself destroyed.” Later, Calvin adds that this should also be extended to
widows, orphans, and strangers in remembrance of the fact that they were slaves

10. Guenther H. Haas, *The Concept of Equity in Calvin’s Ethics* (Waterloo, Ont.: Wilfrid
Laurier UP, 1997), 2.

11. John Calvin, *Commentaries on the Last Four Books of Moses, Arranged in the Form of a
Harmony*, Vol III (Edinburgh: Calvin Translation Society, 1855), 123, hereafter quoted as
Commentaries 3.
in the land of Egypt (see Deut. 24:17). Calvin even gives a psychological reason to this extension: “It is natural that he [the human being] should be the more affected with the ills of others, who has experienced the same.” 12

Calvin even gives a more general statement on being wealthy. As a humanist scholar, he reminds the reader that heathen authors saw that “since all men are born for the sake of each other, human society is not properly maintained, except by an interchange of good office.” 13 This means that he should be unrighteous “who does not relieve the necessities of his brethren when he can.” Subsequently Calvin refers to Proverbs 5:16 and takes from this the lesson that “those who have abundance do not enjoy their possessions as they ought, unless they communicate them to the poor for the relief of their poverty.” 14

**Usury**

As to the ban on usury, Calvin is very aware of the way usury was already regarded in Roman culture. He refers to the orator Cato, who regarded usury as worse than murder. 15 Calvin concludes that this was, of course, the word of one individual, but nevertheless it reflects according to him the general opinion among the people. However, it is clear that Calvin no longer follows this opinion but has come to reconsider a judgment that once was generally accepted. At first sight, it is nothing less than a rupture of a century-old tradition in ethics. On a deeper level, it is a reinterpretation on the basis of his theology, in which Old and New Testament form one canon that contains the same substance, the covenant that God made with his people and that he confirmed in Jesus Christ. Therefore, Christ is the teacher of Law when he summarizes the law by the Golden Rule. Commenting on Matthew 7:12, Calvin gives an explanation of this rule:

> So Christ teaches them, that the rule for each man to use, in living rightly and fairly with his neighbors, is for each to offer the other what he would have done to himself. This cuts across all empty pretense, which men think up for themselves, to cover and disguise all their injustice. No doubt, perfect equity would reign amongst us, if we were such faithful disciples of what I might call active charity, as we are so acute in the passive instruction we give on the subject.

12. Commentaries 3, 125.
13. Ibid., 126.
14. Ibid., 126.
In his interpretation on usury in his *Harmony of the Law*, Calvin explains that it would be impossible to apply this regulation immediately and without interpretation to the contemporary situation. The society he is living in and part of has not so much in common with the situation Moses was dealing with. The different situation requires a reinterpretation according the Golden Rule.

In his discussion of usury, Calvin shows the same distrust toward the tendency of humans to cover their own greedy nature and the inventions they do to escape a moral judgment. He explains that at the time of Cato the word *foenus* had a pejorative meaning and was replaced by *usura* to point to the fact that interest was only a compensation for the loss of the use (*usus*) of the lender’s money. In Hebrew, the same happened when “*neschec*,” which means “biting by dog,” was replaced by “*therbith*,” which means “increase.” The word is different, sounds even neutral, but according Calvin the same evil happens: A poor man is pressed to pay back seven unities instead of the six that he once got, and that will bring him into great trouble.16

For Calvin, however, this is not the only thing to say. It applies in the case of a poor man. Calvin makes a next step in stating that the rule of equity requires more. He writes, “But if we would form an equitable judgment, reason does not suffer us to admit that all usury is to be condemned without exception.”17 What follows in Calvin’s exposition are not assertive statements in favour of asking interest, but questions. The way he brings the question of usury into debate is by giving examples where it would be unfair not to give any compensation. He writes, “If the debtor has protracted the time by false pretenses to the loss and inconvenience of his creditor, will it be consistent, that he should reap advantage from his bad faith and broken promises? Certainly no one, I think, will deny that usury ought to be paid to the creditor in addition to the principal, to compensate his loss.”18 This is an interesting renewal. Calvin sees that money in this case is productive; it is used as an investment and therefore the rule of equity requires a further step. There is a difference between a loan in case of basic needs like food, clothing, and sleeping and a loan meant for investment and production.

Calvin, however, anticipates objections that his contemporaries might bring forward. Instead of responding to them directly, he reacts indirectly by

16. Commentaries 3, 130: “*Neschec* which is derived from biting, sounded badly, since then no one chose to be likened to a hungry dog, who fed himself by *biting* others; some escape from the reproach was sought, and they called whatever gain they received beyond the capital *therbith*, as being an increase. But God, in order to prevent such deception unites the two words and condemns the increase as well as the biting.”


18. Ibid., 131.
way of raising some rhetorical questions: “If any rich and monied man, wishing to buy a piece of land, should borrow some part of the sum required of another, may not he who lends the money receive some part of the revenues of the farm until the principal shall be repaid?” Calvin brings forward the classic objection: that “we should abide by God’s judgment, written in the scripture, when He generally prohibits all usury to the His people.” The answer Calvin gives is blunt and in accordance with what he has stated on the attitude toward the poor: “I reply, that the question is only as to the poor, and consequently, if we have to do with the rich, that usury is freely permitted; because the Lawgiver, in alluding to one thing, seems not to condemn another, concerning which He is silent.” This is interesting, because Calvin uses an “argumentum e silentio.” In the process of searching for the will of God, he makes a difference between what scripture clearly says regarding the poor and what it did not say because the circumstances had not provoked further reflections leading to further statements. Times, so Calvin, had changed, thus urging indeed further considerations. Any further consideration should be ruled by love and equity.

It is as if Calvin reveals his musings and negative feelings to those who want him to stick to a general ban on usury:

I should indeed be unwilling to take usury under my patronage, and I wish the name itself were banished from the world; but I do not dare to pronounce upon so important a point more than God’s words convey. It is abundantly clear that the ancient people were prohibited from usury, but we must confess that this was part of their political constitution. Hence it follows, that usury is not now unlawful, except in so far as it contravenes equity and brotherly union.

Here Calvin appeals not only to the literal text of the Bible, but invites his audience to also appeal to the law of equity. “In what cases, and how far it may be lawful to receive usury upon loans, the law of equity will better prescribe than any lengthened discussions.” Decisive for Calvin is not obedience to the literal text, but rather a reinterpretation which is governed by a dialectic between justice and love, and a process of discernment in the human conscience. This process of discernment is a search and decision before the throne of God.

19. Ibid.
20. Ibid.
21. Ibid., 132.
22. Ibid.
In his comment to Exodus 22:25 Calvin concludes, “The judicial law, however, which God prescribed to His ancient people, is only so far abrogated as that what charity dictates should remain, i.e. that our brethren, who need our assistance, are not to be treated harshly.” Calvin states that whereas the Israel of Moses’ time was a relatively closed and homogeneous community, Christians are now part of many countries and societies. Moses already saw that when the Israelites would trade with other peoples without being allowed to ask for interest, they would be placed at a disadvantage. They would be obliged to pay an amount of interest to the other side, whereas this other party would not pay anything. It would create a situation of lack of reciprocity, and hence be a situation of injustice.

**Brief Conclusions**

Calvin acknowledged that in his times the economic and financial circumstances had deeply changed and required an adaptation of the traditional ban on every form of usury. Hence, he made an important decision by distinguishing between two sorts of loans. The first is a loan needed for consumption, for food or clothing. The second is a loan meant for investment and production. These two have to be distinguished. The first form remains forbidden: One should not take from the workers and the needy their daily bread. In the second case of investment for production, though, it was completely legitimate to ask for a remuneration. The second kind of usury is legitimate, although the biblical texts literary banned it. Calvin argues, however, that this ban applied solely among Israelites. God even “should have permitted His people to receive interest from the Gentiles, since otherwise a just reciprocity would not have been preserved, without which one party must be injured.” As to the contemporary situation, he gives a reinterpretation, following the rule of equity and reciprocity.

In conclusion, it can be said the change in attitude toward usury is an example of a transformation that took time and was not accepted easily. The ban on usury was a long and established tradition. Nevertheless, the changed constellation of society has challenged Calvin to reinterpret this ban. His reinterpretation is governed by a hermeneutical distinction between a normative function of the law and the implications for political and societal life. The law does not stand on its own; it is located within the covenant, the bond with God, and on that account participates in the spiritual dimension of faith where the

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23. Ibid., 128.
24. Ibid.
virtues of love and equity have their source. Calvin’s emphasis on faith, love, and equity as the source of our behaviour means that he was able to reinterpret passages of the Old Testament – not to get rid of them, but to interpret them in obedience to God for his own times. However, at the same time it must be stressed that his contemporaries were not immediately convinced. Spiritual and moral discernment takes time – and a whole community.
SLAVERY
4. Ecclesial Justifications and Resistance to Slavery in British Colonial America

Tamara E. Lewis

One of the benefits of historical studies is to elucidate previous modes of oppression. Many early modern English American Christians reconciled slavery with their faith. Conversely, other Christians of this period defended human equality and freedom to combat racial injustice. This essay chronicles the development of early modern ecclesial arguments justifying slavery and the emergence of religious positions resisting slavery among British and African colonial American Christians.

The first part of this essay traces the religious impact of the slave trade on a burgeoning British imperial empire by analyzing two early modern pioneers in the Christian apologetics of slavery: the Anglican missionary Morgan Godwyn and the Puritan pastor Cotton Mather. Through their ministries and advocacy, Godwyn and Mather were influential in establishing ecclesial precedent in the Church of England and among New England Puritans regarding slavery. Aspects of their ideological and theological justifications were used to propagate moral and civil acceptance of enslaved labour as an economically viable and supported custom in American church and society.

The second part of this essay reviews ecclesial resistance to slavery in British Colonial America by Philadelphia Quakers and African American Christians. I examine the earliest documented petition against the slave trade in the British American colonies, the 1688 Minutes of the Germantown Quakers of Philadelphia. This petition is notable for its incisive theological and ideological refutations of the practice of keeping African American slaves, forming groundwork for the development of early iterations of the antislavery movement. In addition, reflections of the birth of African American Christianity, from the “invisible institution” of slave religion in the South, to the free Black churches of the North, also focuses on the emergence of a spirit of resistance against racist Christianity. This spirit of resistance would help establish the abolitionist movement and American religious institutions steeped in Christian tenets of liberty and egalitarianism as opposed to discrimination and injustice.
Early British American Voices:
Morgan Godwyn and Cotton Mather

From the beginnings of the transatlantic slave trade in the 15th century, many West Africans adopted the religious institutions of their oppressors as a tool to secure freedom.¹ Ironically, early modern European Christianity was utilized to promote and justify the development of the slave trade for rival Catholic and Protestant nations. Yet among the British, there was initially an ambiguous legal and moral position with regard to enslavement. In the 17th century, the well-known Anglican minister Morgan Godwyn broke the silence regarding the relationship between the flourishing British slave trade and Christianity. Africans had been recorded in Tudor England; there is evidence of their membership in the Church of England throughout the 16th century.² The earliest documentation of African slaves in the English colonies was in 1619, at Jamestown, Virginia. Six years later, African slaves were traded in Barbados, England’s first Caribbean outpost. Although these colonial settlements were affiliated directly with the Anglican Church, there is little proof of the inclusion of non-English groups during this period.

Godwyn was one of the first Anglican clerics who established a missionary presence in the colonies. From 1665 to 1679, Godwyn served as a pastor in Virginia and Barbados, where the Church of England controlled religious practice and, along with the colonial government, dominated society. From all accounts, he was frustrated with the lack of evangelism efforts among African slaves, indigenous populations, and indentured servants. After his stay in the colonies, Godwyn published treatises in England about the state of religion and slavery in British colonial society, beginning with *The Negro’s and Indians Advocate* (1680).³ Specifically, the Advocate focuses on Virginian and Barbadian settlers’ lack of attention to the religious lives of enslaved and indigenous communities. Godwyn’s agenda was simple and yet controversial for the day: to establish initiatives resulting in the evangelism and baptism of African slaves and natives into the Anglican religion.⁴


2. Benjamin Brawley, *A Social History of the American Negro* (New York: Macmillan, 1921), 7. By the mid-1500s, a number of African slaves from Guinea in West Africa had been introduced to Protestantism by Captain John Hawkins and other early English slave traders.

3. Morgan Godwyn, *The Negro’s and Indians Advocate, Suing for their Admission to the Church* (London: 1680); hereafter cited as *Negro’s and Indians Advocate*.

Over 20 years later, at the dawn of the 18th century, the newly founded Society for the Propagation of the Gospel in Foreign Parts (SPG) would commence recruiting Anglican missionaries to serve settlers as well as slaves in the colonies. But by 1680, Godwyn confronted resolute opposition to slave evangelization based on popular biblical and theological interpretations that Africans and natives were inhuman. Specifically with regard to slaves of African descent, Godwyn wrote that English slaveholders claimed that “the Negro’s, though in their figure they carry some resemblances of Manhood, yet are indeed no Men.” For both traders and masters, differences in skin colour, customs, and beliefs in the “stupidity, and the . . . barbarousness of their mann” separated Africans from the rest of humanity. Moreover, the predominant opinion was that these groups were destined for perpetual servitude.

Inculcating these ideas buttressed fears of the legal and moral risk, based on medieval Catholic precedent, that Christianizing enslaved persons would result in manumission. For example, during the 1670s, in a reversal of earlier rulings, the Virginia colonial court established that religious identification could not purchase either manumission or indentured status. Yet slaveholders remained dubious and actively resisted the promotion of conversion efforts. Questions remained, and even the passing of legislation by the Virginia House of Burgesses, which denied a correlation between Christian faith and enslaved status, did little to mitigate fears of a potential challenge to slave property during the late 17th century. Slave owners continually cultivated methods to limit the human rights of Africans and their descendants in order to maintain a perpetual labour force. Released from moral obligations to decent care of their slaves as well as “all pretence to Religion,” slave owners effectively kept slaves separated from the church, thereby “implying, that [Africans] could not be Christians.”

In 1681, Godwyn also published *A Supplement to the Negro’s and Indians Advocate*, which went into more critical detail of the practice of slavery and religion in the American colonies. In this work, his previous discourse the *Advocate*, and in a 1685 sermon dedicated to King James II, *Trade Preferr’d before Religion*, Godwyn excoriated slave owners in England and the American

5. In 1708, Francis Brokesby used a letter by Godwyn in his *Some Proposals towards Propagating of the Gospel in Our American Plantations* to promote the Society for the Propagation of the Gospel in Foreign Parts.
7. Ibid., 33.
8. Ibid., 36.
colonies who steadfastly refused to allow their African slaves to be baptized. Using biblical, historical, and rational arguments, Godwyn countered the positions of contemporary English planters that maintained Africans were inherently inferior and divinely cursed beings incapable of receiving true religion. Interestingly, Godwyn stressed that the existence of slavery is a reality of human history, and that various ethnic groups had been enslaved in different periods of the past.

Although some historians maintain that Godwyn reflected the contemporary mood that Africans specifically were predestined to enslavement, his writings emphasize the natural equality of all persons. In actuality, Godwyn’s writings convey a belief in the historical inevitability of slavery. Godwyn challenged the idea, from the Middle Ages, that human groups are arranged on a hierarchical chain, which determines relative worth. Hence, Godwyn became one of the first prominent leaders to explicitly deny the inferiority of African descended persons. He was a dissident against the rising tide of white supremacy and racial inequality emerging in Anglo-America which was used to support cruelty and brutality against the enslaved.

However, he was not an abolitionist; in fact, Godwyn was a contemporary Christian apologist for slavery. Godwyn was convinced that baptism did not confer freedom from bondage nor preclude future enslavement. Further, he initiated an ideological precedent in which it was rationalized that making slaves Christian would increase their docility. This reasoning aided the growing numbers of British investors involved in the slave trade to rationalize and remove any moral or emotional impediments to slavery from their consciences. Moreover, in his recognition of the ongoing practice of forced bondage in history, he deemphasized the heinous nature of the institution. As Godwyn wrote, “Slavery is but a lower degree of poverty and misery; but not the lowest.”

10. Morgan Godwyn, *Trade Preferr’d Before Religion and Christ Made to Give Place to Mammon Represented in a Sermon Relating to the Plantations* (London: 1685), 10. In 1682, Morgan Godwyn, published *The Revival: or Directions for a Sculpture* (London: J. Darby, 1682), which was an illustration to be included in *The Advocate*.


main point was to stress the necessity of genuine Christians to evangelize the gospel among all groups, regardless of existence of slavery. This would become missionary policy in the Church of England beginning in the 18th century through the Society for the Propagation of the Gospel in Foreign Parts, demonstrating Godwyn’s influence.17

Morgan Godwyn’s apology for slavery and call for missionary work on English American plantations anticipated other churches’ defense of the institution. For example, dissenting English American Puritans did not deviate from the practice of Anglicans with regard to slavery, despite theological and ecclesiastical differences. Although African slaves came first to the Anglican colony of Virginia in the 17th century, by the time Puritans were in New England, they also began to actively participate in the trade. In 1693, the Puritan leader Cotton Mather drafted a body of rules governing the religious life of African slaves in Massachusetts Bay Colony. Written from the perspective of the slaves, the main purpose of the Rules for the Society of Negroes was to regulate religious conduct in order to maintain the social and political order. Thus, in order to be good and upstanding Christians, slaves covenanted to gather frequently for prayer and resolved to commit no sins of uprising against their masters. Further, the slaves endeavoured to police fellow slaves to keep them from participating in rebellion. Not surprisingly, the focus of Christian practice among slaves resulted in the usurpation of traditional African religious and cultural beliefs, a process championed universally by most British American leaders, including Morgan Godwyn.18

Twelve years after the appearance of the Rules, Cotton Mather published The Negro Christianized (1706), a document that significantly articulates a reconciliation of the practice of slavery with the Christian faith. In this sense, Cotton Mather is the influential Puritan successor of Godwyn, who broke ground in Anglicanism in the Christian apology of slavery in the English American colonies. Like Godwyn, Mather advocated that Christian masters treat their slaves humanely. As a slave owner himself, Mather exhorts fellow owners to exhibit kindness to their slaves and to train them in the Christian faith as brothers and sisters.19 Mather used scripture to justify the practice of slavery, quoting, for example, Colossians 4:1, “Masters, give unto your Servants, that which is Just & Equal, knowing that ye also have a Master in Heaven” and Eph. 6. 5, “Servants, Be Obedient unto them that are your Masters as the

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19. Ibid., 33.
Servants of Christ.” Similar to the perspective of Godwyn, Mather maintained that Christianized slaves became more submissive. He believed that this would encourage masters to allow evangelization. Mather wrote,

Your Negroes, when Christianized, become amiable spectacles . . . [and] were your Servants well tinged with the Spirit of Christianity, it would render them exceeding Dutiful unto their Masters, exceeding Patient under their Masters, exceeding faithful in their Business, and afraid of speaking or doing any thing that may justly displease you.

Mather’s treatise also implies that no Africans had ever been Christian prior to the transatlantic slave trade. (This is in contrast to Godwyn who acknowledged the fact that Christianity has early roots in Africa). For Mather, the “negro” is innately inferior. He called them “the most brutish of creatures upon earth.” Mather consented to the idea that Africans possess reason, and ostensibly rejected the notion that their complexion is the source of God’s disfavour. Moreover, Mather’s position was controversial in 1706 because he supported the education of African slaves.

But for Mather, Christian teaching, a civilizing influence, facilitated the psychological and spiritual acquiescence of slaves to their divinely ordained condition of servitude. As the catechism of The Negro Christianized reads, “I must be patient and content with such a condition as God has ordered for me.” Although Mather rejected the Hamitic Curse as the source of divine debasement of Africans to a slave legacy, he did equate God’s will with Black slavery. He cited no biblical authority that slaves must be Africans, but simply assumed this to be the case. Mather wrote, “it is God who has caused them to be Servants . . . the Lord Jesus Christ has bid them to do it.” For Mather, the order of affairs is that Africans must be servants in this life, according to the inexplicable and ineffable purpose of God. Yet, if any sense can be made of God’s arrangement, Mather reasoned that God uses the worldly subjugation of Africans to procure salvation for some of them:

20. Ibid., 3.
22. Ibid., 2
23. Ibid., 36.
24. Ibid., 27.
25. Ibid., 2.
26. Ibid., 18.
The State of your Negroes in this World, must be low, and mean, and abject; a state of servitude. No great things in this world, can be done for them . . . by the Providence of God, without which there comes nothing to pass, that Poor Negroes are cast under your Government and Protection Something then, let there be done, towards their welfare in the World to Come.27

Mather also addressed the legal issue of conversion and manumission, using similar reasoning to Godwyn.28 For Mather, slaves were property, and masters would have no interest in allowing their baptism if this would result in a loss of investment.29 He questioned the existence of any law, moral or civil, that set the enslaved free at baptism. Christianity freed the slave spiritually, not physically.30 Thus, slave owners had no excuse when they denied religious education to their slaves; Mather threatened the wrath of God for their disobedience.31 Mather's articulation of the theological foundations for slavery was entirely consistent with the legal establishment of Massachusetts, the first British American colony to legalize slavery in 1641. Finally, it must be stated that eventually Mather did live up to his own stated convictions in 1717, he launched a school for the training of African slaves and Native American youths.

Resistance to the Ecclesial Practice of Slavery

Whereas in early colonial America, the practice of slavery was justified among many influential church institutions, some religious groups explicitly rejected theological and ideological rationalizations in favor of enforced bondage. Eight years after Morgan Godwyn's publication of the Advocate, a group of Quakers from Germantown, Pennsylvania, published the first written complaint against slavery in the English colonies. A Minute against Slavery, Addressed to Germantown Monthly Meeting, 1688 was signed by four Quakers on behalf of the Germantown Meeting of the Religious Society of Friends in protest against the popularity of slavery in the Pennsylvania colony.32

27. Ibid., 9.
28. Ibid., 16.
29. In 1698, Massachusetts changed its colonial tax code so that the legal status of a slave was considered as property.
31. Ibid., 11.
Many were drawn to the colony (founded in 1682 as a land grant from King Charles II of England) due to its unique stance on religious freedom. Thus, some colonists were disheartened by the fact that the majority of British Quakers in Pennsylvania owned slaves, including the founding proprietor, William Penn. The four signers of the petition observed, in their view, a contradiction represented by the colony established as a refuge against persecution and yet actively engaged in the slave trading of human beings. Importantly, the treatise uses biblical and theological arguments to refute the practice of slavery, particularly among Christians. The writers noted the hypocrisy of a colony established as a haven for the tyrannized yet enforcing human bondage. The text reads, “we hear that ye most part of such negers are brought hither against their will and consent, and that many of them are stolen.” 33 Specifically, racial slavery is castigated, as the signers lamented, “tho they are black, we can not conceive there is more liberty to have them slaves, as it is to have other white ones.” 34 Perhaps most importantly from a theological perspective, the treatise incorporates the golden rule, powerfully stating, “There is a saying that we shall doe to all men like as we will be done ourselves; making no difference of what generation, descent or colour they are.” 35

Thus, numerous arguments for equality and liberty are articulated. The petition, which was voted on at the Germantown Quaker monthly meeting, highlights the dissimulation of Pennsylvania slave owners fleeing from subjugation and yet subjugating others. Due to their enforced oppression, the group warned that slaves had the right to revolt against pacifist Quaker slaveowners. Passed on to the quarterly, and then the yearly Quaker meeting in 1688, the petition was formally ignored for several decades. It was not until 1776, paradoxically, the year the Declaration of the Independence was adopted, that the Pennsylvania Society of Friends finally voted to ban slaveholding.

Although it took over 80 years of advocacy before Quakers formally censured slavery, the Germantown Quaker Protest affected other religious communities and individuals at the time. For example, in 1700, Samuel Sewall, one of the judges in the 1692 Salem Witch Trials, published The Selling of Joseph, a scathing critique of slavery. 36 This tract condemns the injustice of slavery using similar language to the Quaker Minute, stating, “liberty is in real value

34. Ibid.
35. Ibid.
36. Samuel Sewall, The Selling of Joseph (Boston, 1700).
next unto life: none ought to . . . deprive others of it.” 37 Despite Sewall’s belief in racial inferiority, which he articulated explicitly, claiming (as did Cotton Mather) that Africans could not live as free equals among Puritans, his opposition to the practice of slavery resurfaced the following year. 38

In 1701, reacting to a pro-slavery tract published by one slave owner, John Saffin, Sewall ordered the reprint of an antislavery article from an older edition of The Athenian Oracle, a London newspaper. 39 This article employs the same theological language as the Quaker Minute, asserting that slavery was incompatible with the Golden Rule. Also, anticipating Mather in The Negro Christian-ized, the writers in the Oracle article refuted his stance and maintained that Africans, as all human beings, have the right to earthly comfort and happiness. Therefore, it rejected the idea that there was a divine curse or ordination (whether The Curse of Ham or some other theory), that predestined Africans to perpetual subjugation.

Sewall’s efforts raised the level of discussion around the legality of slavery, an impressive feat in Massachusetts, which dominated the slave trade in New England. 40 Moreover, he organized an antislavery society, the Boston Committee, which fought the slave trade in Massachusetts, an early iteration of abolitionist societies (such as William Lloyd Garrison’s Anti-Slavery Society). The legacy of this work is also exemplified in the fact that Massachusetts, the first colony to legalize slavery, became, in 1783, the first of the northern states to emancipate slaves. 41

While a number of whites in colonial America resisted the theological and ecclesial justifications supporting racial slavery, no opposition was as poignant as that demonstrated by African Americans themselves. 42 African Americans were continually instrumental in achieving their own freedom. For example, several groups leading up to and during the Revolution petitioned the colonial legislature for freedom. The basis of their challenge included the incompatibility of slavery with Christian values, which, as they argued, formed the foundation of

37. Ibid. 1.
38. In 1705, Massachusetts law passed a law banning marriage or sexual relations between the races (Massachusetts Acts and Resolves, I, 578).
39. John Saffin, A Brief and Candid Answer to a Late Printed Sheet, Entitled, the Selling of Joseph (Boston: 1701).
40. Massachusetts merchants and ships active in the slave trade by the late 1600s.
the American legal system. In another instance, an African American woman, Elizabeth Freeman, initiated the process that led to the eventual abolition of slavery in Massachusetts. Inspired by the Declaration of Independence, Freeman protested that her natural rights invalidated enslavement.

Many Africans in colonial America were exposed to ideals of equality and justice through the process of conversion despite the efforts of missionary groups like the SPG to proselytize Christianity as a system of social accommodation. For the first one hundred years of devoted attention to slave missions in North America, however, few conversions resulted prior to the religious revivals of the First Great Awakening. Although doctrinally orthodox Christian missionaries in the Anglican SPG and dissenting movements like the Presbyterians, Baptists, and Methodists often denigrated traditional African spirituality, many African Americans challenged aspects of European Christianity on the basis of their ancestral religions. African American faith fused Christian experience with the religions that the slaves brought from Africa. As historian Albert Raboteau explains, “[Christian] truth was authenticated . . . to produce an indigenous faith that emphasized dignity, freedom, and human welfare.” Slave religion was built around the experiential reality of a spiritual past as well as ongoing life in bondage. After all, beyond the doctrinal teachings propagated by Christian missionaries, African slaves already had beliefs about the cosmos, humanity, and God. They became aware of inconsistencies between a religious system focused entirely on eternal salvation and the daily context of their earthly suffering.

When slaves did convert, many did take on the formal characteristics of Christianity. Yet some also adopted an awareness of God formed out of direct ecstatic and devotional experience, infusing a sense of self-worth as well as determination to achieve earthly liberation in contrast to the teachings of

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44. Elizabeth Freeman (1744–1829), known also as Bet or Mum Bett, was the first Black slave to file and win a legal suit for emancipation in the Massachusetts Supreme Court, *Brom and Bett v. Ashley* (1781), which ruled that slavery was inconsistent with the 1780 Massachusetts State Constitution. This suit was upheld in a Massachusetts Supreme Judicial Court appellate review of another case for freedom suit effectively abolishing slavery in Massachusetts.
46. Ibid., 17.
49. Ibid., 32.
slave-owner supported religion. Thus the slaves took on an equalizing perspective with regard to the Divine – they were children of God, loved as all peoples.\textsuperscript{50} While African Americans were generally taught to revere the Bible, many also developed a critical hermeneutic regarding passages used to support slavery. For example, one white missionary complained that after preaching on the Book of Philemon, “some [slaves] solemnly declared that there was no such Epistle in the Bible; others, that it was not the Gospel.”\textsuperscript{51}

British American fears regarded not only the legality of possessing Christian slaves, but also concerns over the development of organized resistance to slavery through evangelism. Before and after the Revolution, Africans, both slave and free, adopted the gospel message through largely Baptist and Methodist preaching, but they adapted it to their own practical, emotional, and cultural needs.\textsuperscript{52} In slave communities, as defined by Raboteau, the southern “invisible institution” and, in the north, free Black churches developed a religious life characterized by a distinct worship life and the spirit (no matter how surreptitious) of rebellion. It was inherently rebellious to claim, as did African Christians, a sense of inherent worth in the face of a Euro-American Christian system that denied Black humanity. White preachers sent to minister to slave communities often even supported an incendiary consciousness in defiance of slave owners.\textsuperscript{53} Thus, local planters and authorities rightfully harboured suspicions that religious gatherings were settings of insurrection planning. In the early 18th century, for example, the Virginia House of Burgesses passed legislation limiting the regularity of slave meetings.\textsuperscript{54} African American Christianity took on a life of its own, embodying a spiritual ethic inimical to the values of religious subjugation and oppression.

**Conclusion**

The complex rationalizations used by British Christian leaders to condone the practice of African slavery were deeply embedded in religious colonial life and established in ecclesial institutions by the time of the American Revolution.

\textsuperscript{50} E. Franklin Frazier, *The Negro Church in America* (Liverpool: University of Liverpool Press, 1963), 11.


\textsuperscript{52} Wilmore, *Black Religion and Black Radicalism*, 29.

\textsuperscript{53} Raboteau, *Canaan Land*, 54.

While British Christian apologists for slavery often denied, to some extent, popular assertions of African inferiority, they continued to support slavery in order to promote spiritual, not earthly, salvation among the enslaved. Despite the attempts of British Christian apologists to institute a biblical and theological mandate for African subjugation as justification for slavery, many African and British American Christians turned the tables on these rationalizations by using an alternative interpretation of the faith. This different view bluntly rejected notions of hierarchical divisions in human society sanctioned by God. As a theological act of rebellion, African American Christianity fused traditional worship practices and beliefs with doctrinal understandings of Christian religion. Thus, the worth of Africans was affirmed in resistance not only to religious systems that condoned racial slavery, but also to the legal and political systems undergirding slavery. The spirit of resistance, born out of Christian interpretations of human equality and justice, helped to fuel efforts to eradicate slavery in the United States.

This historical chapter of British American colonial religious justifications of and resistance to slavery demonstrates the pliability of Christian arguments with regard to various ideologies. Lessons from the past – in this case, how religious systems were marshaled in favour of oppression as well as liberation – underscore the necessity of diligent believers in all times to champion righteousness in the face of injustice. Although religion continues to be used in support of intolerance and abuse, the power of practical energy and thought to combat discrimination in the name of Christian faith serves as a meaningful witness in a complex world.
5. Against Their Established Interests

Proslavery Co-optation of Antebellum White Methodism

R. Drew Smith

Secular demands upon church domains can be especially strong during periods of intense political conflict and can uniquely threaten the formal separation between ecclesiastical and political affairs. At such times, theological intent becomes more susceptible to political motives, and theological interests are more easily overridden by the political exigencies of the moment.

In the antebellum south, a troubling compatibility developed between white Protestant religious interests and the social and material interests of southern slaveholders, culminating in a regional defense of those interests to the point of regional secession from the Union and the mobilization of a catastrophic military rebellion. Nonetheless, the convictions that propelled southern churches into ever greater captivity to the politics of the slavocracy were not unanimously shared by southern church constituencies. This is a view counter to historical depictions of a more monolithic socio-religious culture in the white antebellum south.1

The fact that southern Protestants became increasingly, though not universally, embroiled in the political agenda of the slavocracy provokes what is the central question of this essay, mainly, why and how were stated theological constraints on formal church involvement in politics circumvented? In exploring

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1. See for instance Samuel Hill, Jr, Southern Churches in Crisis (Boston: Beacon Press, 1968), 66; or John L. Eighmy, Churches in Cultural Captivity (Knoxville: Univ. of Tennessee Press, 1987). Eighmy’s discussion centres on southern Baptists in a largely postbellum time frame and primarily makes the point that southern Baptists followed prevailing trends in the south on matters of social policy. His treatment of the denomination’s ante-bellum history is brief and lacks detail, yet the proposition of uniformly pro-southern religion is extended to ante-bellum Baptists and, by implication, to other southern denominations as well. He says specifically that local churches “usually” remained silent about or sanctioned southern attitudes (19), and while that is not being disputed here, “usually” is not the same as “always.” It is the resistance to the norms that interests me in this instance.
this, I closely examine the struggle for control over ecclesiastical priorities within southern church bodies between theologically intentional sectors and sectors driven by openly political considerations.

I will argue here that during the first half of the 19th century, the relationship between white churches and slavery was more nuanced and complex than what is suggested by sometimes “solid South” characterizations. Although white southern churches were certainly no bulwark against slavery, and while the vast majority became explicitly or implicitly aligned with the pro-slavery agenda by the run-up years to the Civil War, countervailing theological, ecclesial, and socio-economic dynamics operated within the context that could have produced outcomes other than the widespread pro-slavery conformity that eventually consumed the region. Exploring how certain ideas and interests came to be enforced over others by churches within this historical context yields insights useful in assessing intersections of religion and politics in other contexts.

The focus in this essay is on the predominantly white Methodist Episcopal Church (MEC) (and, later, Methodist Episcopal Church South [MECS]), an ecclesial communion whose evangelicalism and anti-elitist cultural bearings garnered wide support among population sectors regarded as “common folk” within 18th- and 19th-century America. As such, a burst of democratic populism springing up during the 18th century found fertile ground within this Methodist communion, especially among laity whose concerns with democratization traversed both ecclesial and broader societal spaces. This essay outlines competing socio-religious inclinations, economic interests, and distributions of ecclesial authority within antebellum white Methodism, as well as reasons why political, economic, and theological instincts within this ecclesial body (particularly in the south) could have, but did not, function as a counterweight to the agenda of the slavocracy.

As outlined here, the popular democracy movement within antebellum southern Methodism among reform-minded white laity and clergy eventually gave way to deep-seated racial solidarity instincts and to the material interests of the slavery economy as abolitionist attacks on the south grew in intensity. Methodist laity (a number of them slaveholders themselves) increasingly transformed their pre-existing anger over clergy power and over social inequality among whites in general into anger over northern attacks on the southern way of life and anger toward southern antislavery clergy who were regarded as “disruptive” and “disloyal” to the region. Many southern Methodist clergy did not require coercion to fall into line, but instead came alongside the slavocracy quite willingly and vocally. In either case, though, the result was the utter contradiction by clergy of theologically and procedurally well-established Methodist
antislavery sentiments and policies. Throughout the present discussion, the focus will be primarily on actors and events within Virginia and the Carolinas, the political and economic centres of the old south.

**Social Class Attributes and Religious Authority**

In early America, a person's denominational affiliation and place within society were quite closely interrelated, with societal designations of social worth often informing social rank orderings within and between denominations. Denominations on their part, however, could also serve as breeding grounds for conceptions and structures of human community that ran counter to prevailing societal constructions of rank and place. Consequently, church governance structures and the polities through which they were reinforced were matters of great social and existential significance – and could be points of even greater contention.

Within early 19th-century America, tensions over configurations of authority within and between Protestant churches were pronounced, particularly in southern churches. These church governance conflicts, while rooted partly in longstanding theological and ecclesial concerns, were also driven by two broader controversies raging at the time: struggles to abolish slavery and struggles to extend democratic participation to the populace. At the heart of each controversy were grievances over stark inequalities in social power and privilege.

The political empowerment of the “common man” was a rallying cry for democratic reforms by the late 1700s and early 1800s, and for many whites in the south this issue revolved around the relationship between land ownership and political participation and power. Such matters as primogeniture and property qualifications for voting were contested throughout the south in the early 1800s and were successfully abolished except in Virginia and North Carolina.2 The occurrence of these reforms within the secular realm undoubtedly fueled desires for similar mass empowerment within the ecclesial realm.

Historian Nathan Hatch contends, in fact, that the populist fervour sweeping across the country between 1780 and 1830 had direct bearing upon the democratization of American Protestantism. He details how laity, inspired by freedom themes emanating from the revolution, responded to their longstanding ecclesial subjugation through expressions of “violent anticlericalism,” hostility toward “conventional religious deportment” and formal “tradition,” and

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2. Ibid., 77.
through “assertion(s) that common people were more sensitive than elites to the ways of the divine.”

Methodists, the second largest denomination in the antebellum south, were at the centre of this populism. They were a denomination that empowered “commoners” – targeting them as members and drawing on many of them (irrespective of their scant formal training) as teachers, exhorters, local preachers, and circuit riders. De-emphasizing educational distinctions within the church in this way, Methodists shattered “the wall between gentleman and commoner,” says Hatch. Yet, because Methodists reserved formal governing authority to bishops and a portion of the clergy, divisions between the ruling elite and the rest of the church endured, producing significant lay antagonisms toward formal church leadership.

By the early 1800s, direct lay assaults on clergy power had become a staple of Methodism – a church referred to on one hand as “the very church that most adamantly refused to share ecclesiastical authority with the laity” and, on the other, as “the very model of anticlericalism [within the established church].” The former certainly contributed to the emergency of the latter, but so did unequal distributions of power and privilege within society at large. Southern commoners presumed a less exclusive distribution could be achieved throughout southern society and certainly within what was considered to be one of the principal churches of the common folk.

In a summary of the unfolding struggle (written retrospectively and from a lay perspective), John Wright charged ministers with having put forth a united effort to expand their authority within the Methodist hierarchy and to exclude laity from representation in the councils. Wright warned of “the dangers that may come from the combined action of the ministry as a class” and pointed out the necessity of promoting forms of church governance where “the people have

4. Ibid., 85.
5. See ibid., 85, and on the issue of clergy rules, see 87, where Hatch points out only circuit preachers (but not local preachers) were considered members of the annual conference and were therefore voting members of these conferences or of the General Conference. The governing power of bishops derived from their sole ability to appoint ministers and presiding elders. They possessed no voting power at conference meetings although they presided at all sessions of annual and general conferences.
secured protection by having the control of the church equally divided between the laity and the clergy.”

In another attack characteristic of the times, a Methodist layman in Virginia declared the “foundation of ecclesiastical tyranny is laid in the anti-Christian system of episcopacy.” He went on to liken episcopal systems to a domination unlike any form of governance witnessed in America since British colonialism. Sentiments like these spread throughout Methodism, with a Methodist convention of “reformers” coming together in Baltimore in 1824 claiming “the admission of the laity to the General Conference on the ground of the right of the people to share in ecclesiastical legislation.” The reformers were later expelled from the MEC.

Antagonisms between Methodist clergy and laity cut both directions, however, functioning at points as wholesale condemnations of social class attributes. One of the ways Methodist clergy justified the official-level authority wielded over the laity was to point out the general lack of theological (if not intellectual) sophistication of Methodist laity. A Methodist minister in North Carolina, John F. Mallett, commenting on the laity with whom he interacted, stated “each individual [was] his own interpreter however ignorant.” He stated further, the laity comprised “all sorts of men believing all sorts of doctrine, preaching and doing all sorts of ways, and destroying all sorts of good.”

Criticisms of Methodist laity by another Methodist minister in North Carolina, Washington S. Chaffin, were even more barbed. He wrote,

The church members are the most ungovernable that I have ever had to deal with; they suppose themselves better informed in theology, and church government than their Preacher. Besides, there is a deep seated and fixed stubbornness of disposition prevailing, in some extent, just such as gross, profound ignorance can produce. They likewise suppose that the preacher is the particular slave of every one, and that each has a right to come and tell him what his duty is.

9. Ibid., 36.
10. John Frederick Mallett, Journal, 1853–1868, in John Frederick Mallett Papers, Manuscript Department, Duke University, Durham, NC.
While Mallett and Chaffin only allude to the lack of intellectual sophistication of the Methodist laity with whom they itinerated, a Methodist teacher, J. Milton Emerson, speaks directly to the educational status of the largely Methodist district of eastern North Carolina in which he worked. He noted that three-quarters of the 12,000 white persons over 20 years of age within the district could not read or write and that not a single newspaper existed within the district. He also pointed out that in many places there were no schools, and where there were schools, the “great majority” of the teachers were “unfit for the business.” The rate of illiteracy in the district to which Emerson refers seems high compared to other statewide estimates. For example, historian Clement Eaton places the illiteracy rate of white adults within antebellum Virginia and the Carolinas at between 20 and 35 percent.

Competing Social Instincts and Interests

Tensions abounded between Methodist clergy and laity over distributions of religious authority; but tensions also existed between Methodist clergy and laity over the matter of slavery, with Methodist clergy expressing theological unease with the institution of slavery up through the 1700s. Southern slavery practices, as one historian wrote, were viewed by a segment of white southerners as “the absolute negation of liberty and equality” and as a reflection of the slaveholding aristocracy’s contempt for “free institutions and the democratic theory of government.”

Nevertheless, within Methodism’s unique mix of anti-elite sentiment and concentrations of authority within the hands of bishops and circuit preachers, it was in fact clergy who served as the denomination’s most vocal opponents of slavery. An initial antislavery emphasis by Methodists in the south (southern clergy in particular) is noted by Mathews, who states, “during the last twenty years of the eighteenth century, American Methodists acquired a well-deserved reputation for antagonism to Negro servitude.” A Wesleyan Church history goes further in assessing the strengths of Methodist antislavery sentiment, stating, “From its foundation in the United States until the year 1800, Methodism

had testified against slavery as a moral evil. Many of its enactments were uncompromising, and all were beyond the position taken by other churches and in advance of public sentiment.”16 A clear example of this is that Methodists passed a policy in 1784 stipulating that members owning slaves would be expelled from the denomination, although they were unable to enforce the policy and eventually withdrew it.17 Methodism antislavery momentum was certainly aided by a systematic critique of slavery titled “Thoughts Upon Slavery,” written in 1774 by one of Methodism’s leading lights, John Wesley. Also, Francis Asbury, the first bishop of the southern churches within American Methodism, maintained an antislavery stance into the 1800s, long after antislavery views had lost what momentum they may have had amongst the larger body of southern Methodists. While the greatest opposition within Methodism to slavery came from clergy, the most vocal defenders of slavery within Methodism were wealthy, well-educated laypersons.18 One southern Methodist minister, Henry Bascom, commented in this regard that “it would not be equitable or scriptural to confound the positions of our ministers and people, so different are they . . . with respect to the moral questions which slavery involves.”19

Therefore, white southern Methodists were not of one mind on slavery, and consequently a variety of viewpoints on slavery should have existed among white southern churchgoers. Indeed, the trade-offs inherent in the theological and socio-economic diversity within southern Protestantism should have moderated enthusiasm for what was, on the surface at least, the political agenda of the southern slavocracy. As Robert Fogel notes, in 1830 two-thirds of white southern households owned no slaves and by 1860 three-quarters did not.20 With respect to the south Atlantic states, Clement Eaton points out that while the Tidewater area of South Carolina had the greatest concentration of slaves in the south, in 1790 only 142 families in the state possessed more than 100

slaves and only about 300 had between 50 and 100 slaves. In North Carolina he accounted for only 12 individuals with more than 100 slaves.\textsuperscript{21}

A number of Methodist clergy and laypeople owned slaves, although the proportion of slaveholders was relatively small compared to the total population of southern Methodists. In 1844, “at least 200 Methodist itinerants owned 1600 slaves, a thousand local preachers owned 10,000 and at least 25,000 Methodist laymen held more than 200,000 slaves” – out of a population of about 1.5 million white Methodists in the South.”\textsuperscript{22} The bishop serving the southern section of the MEC during the 1840s, James Andrews of Georgia, was also a slaveholder (which would become a matter of considerable controversy).

What is particularly revealing here, though, is how concentrated slaveholding was within the sectors of the Methodist population that lacked formal governing authority within the church – laity and local preachers. The ecclesiastically empowered sector of Methodists (itinerant preachers and bishops) had significantly fewer slaveholders within their ranks. But apparently the material interests of slaveholding Methodists were allowed to take precedence over coexisting theological considerations on the part of church leaders (top-down constraints) or democratic interests embedded within Methodist social geographies or sensibilities (bottom-up constraints).

In fact, large-scale slaveholders proved quite capable of using their considerable social influence to steer thinking toward the material interests of the slavocracy. With respect to numerical distributions, out of the eight million whites who lived in the south in 1860, a relatively small segment (384,884 persons) owned slaves, with 200,000 slaveowners possessing five slaves or less and 338,000 owning 20 slaves or less.\textsuperscript{23} John Hope Franklin points out that the economically dominant plantations were those with 30 to 60 slaves, and since only a small percentage of slaveholders were in this category, an implication is that the preponderance of power and influence was concentrated in the hands of a few wealthy planters. Some of these wealthy planters were no doubt Methodists, but one suspects most Methodist slaveholders were small-scale holders, given Methodism’s commoner profile. When this is coupled with the fact that


\textsuperscript{22} Anne Loveland, \textit{Southern Evangelicals and the Social Order, 1800-1860} (Baton Rouge: Louisiana State University Press, 1980), 188; and Mathews, Slavery and Methodism, 282.

\textsuperscript{23} John Hope Franklin, \textit{From Slavery to Freedom: A History of Negro Americans} (New York: Alfred A Knopf, 1967), 186. Compare with Kenneth Stampp, \textit{The Peculiar Institution: Slavery in the Ante-Bellum South} (New York: Alfred A. Knopf, 1978), 30–33. It is also important to note that Virginia had more slaves than any other state and South Carolina had the highest proportion of slaves relative to total state population (see ibid., 31–32).
Methodist slaveholders accounted for only 235,000 of the approximately four million slaves in the south in 1860, one gets the sense that while southern Methodists had a material stake in slavery, they were a comparatively small part of the southern slave economy.\(^{24}\)

Southern Methodists, then, possessed the potential in more than one respect to impede the designs and interests of the slavocracy – since the slavocracy’s agenda seemed counter to the theological interests of many of the clergy and the material interests of the majority commoner Methodist laity. Nevertheless, the antislavery propensities of southern Methodism, seen in its antislavery commitments in the late-1700s, did not stand up to the mounting defenses of slavery during the 1800s. The well-established anti-elite sentiments of southern Methodist laity similarly succumbed, with Methodism’s popular democracy movement losing most of its steam by the mid-1800s (and failing to regain it until after the Civil War).

Given southern Methodism’s distinct potential to act as a constraint on the proslavery, pro-secessionist agenda of the slavocracy, what then accounts for the church’s widespread conformity to this agenda by the mid-1800s? Several scholars suggest inherent Methodist constraints were eventually overpowered by the increasing “allure of respectability,” the influence of Methodism’s many successes, and the “upward mobility” of its membership.\(^{25}\) Proposing class affinities as an explanation seems inadequate, given the enduring poverty of the vast majority of white Methodists (and of white southerners in general) – despite the incremental economic gains experienced by a segment of white southern Methodists through the mid-1800s. What seems to better explain the diminishing of Methodist constraints on the slaveholding agenda was that democratic and theological inclinations among reform-minded laity and clergy gave way to more deep-seated instincts of racial solidarity. These emerged as abolitionist intellectual attacks on the south increased and as the slavocracy mobilized a full-scale ideological and political defense of its interests.

### Toward Regional Race Solidarity

Abolitionist attacks on slavery gained significant momentum by the 1830s, producing a growing sense of urgency among southerners and resulting in pro-slavery forces in the south digging in their heels more deeply in defense of their “peculiar institution.” Convictions that the south needed to project a solid front

\(^{24}\) 1860 figures come from Franklin, 186.

against “outside” assaults on the southern way of life gave rise to increased elite manipulation of the provincial and racial instincts of white labourers, laypersons, and ministers who may initially have been critical of southern privileged classes.

I ideological maneuvering by elites took a number of forms, one of which was a political-economy justification of slavery. Laurence Shore points out that southern political and economic elites were advancing arguments by the 1830s that stressed “slavery’s contribution to prosperity of all white classes and its compatibility with advancement of nonagricultural occupations” – an economic sector capturing larger numbers of white labourers. As Shore observes, distinguishing white labour from slave labour encouraged white solidarity, as did promoting a mythology of eventual universal white slaveholding through hard work. The effectiveness of elite ideological maneuvering was addressed by historian Frank Owsley, who noted that in the decades leading up to the Civil War, the “plain folk” of the white south (most of whom gained their living from “farming and livestock grazing”) rarely regarded “planters and men of wealth as oppressors. On the contrary, they admired them as a rule and looked with approval on their success; and they assumed . . . that the door of economic opportunity swung open easily to the thrust of their own ambitious and energetic sons and daughters.”

Economic arguments for white solidarity were buttressed by explicit theological justifications advanced by a growing body of ministerial collaborators with the proslavery agenda. These proslavery theological formulations emphasized two themes important to fending off abolitionist attacks on slavery: first, that hierarchy and stratification were “God-ordained”; and second, that the “Christianizing” effects of slavery on Black people were a “positive good,” both for slaves and for slaveholders. Characteristic of the former were comments by southern Methodist clergyman and later bishop William Capers, who argued that slavery could not be considered “a moral evil” because it received “explicit sanction of the Almighty” in the New Testament, whose writings never stipulated slavery be “formally abolished.” Suggestive of the “positive good” numerical


27. Frank Lawrence Owsley, Plain Folk of the Old South (Baton Rouge: Louisiana State University Press, 1949), 133.


argument are comments by southern Methodist minister William A. Smith, who stated, “Domestic slavery, as an institution, is fully justified by the conditions and circumstances (essential and relative) of the African race in this country, and therefore equally right [emphasis mine].”

Positive good rationales were closely tied to white supremacy notions about the intrinsic superiority of white people to people of colour. Ideas pertaining, for example, to divinely preordained hierarchies in social status between racial groups were championed by many southern clergymen in the decades leading up to the Civil War. Whites, such clergymen pontificated, were divinely entrusted with superior qualities necessary for carrying out a range of godly purposes, including that of Christianizing and civilizing benighted slaves. Although Methodist clergy were not as inclined toward this kind of theologizing (or theologizing in general) as more “high church” denominations (such as the Presbyterians or Episcopalians), Methodist clergy numbered within these ranks as well. North Carolina clergyman Washington Chaffin, for example, asserted that nature drew distinct “lines of demarcation between (blacks) and (whites) that no physical, mental or religious cultivation [could] obliterate.” Playing up what he regarded as a tendency by Black people to revert to a natural state of “barbarism,” Chaffin believed they “required the continual supervision of the white man to hold [them] in check.” Enslavement, Chaffin surmised, afforded a Black person a better chance to be happy “than any other the African has ever known.”

Whether explicit or not in their religious framing of racial difference, ontological distinctions between whites and Blacks increasingly served as an ideological bedrock for hierarchical distinctions between them – even in ways that justified inequalities between rich and poor whites. As Theodore Allen argues, disparities in social privilege between wealthier slaveholding whites and poorer non-slaveholding whites were rationalized by attempts to sell poorer whites on the “presumptions of liberty” afforded by their whiteness – and by the fact that no matter how unequal they may be to white elites, they would always be superior to Blacks.

Although ideology was important, southern churches began to sense that theoretical arguments alone were not sufficient to fend off assaults on southern political and ecclesial self-determination. By the mid-1830s, churches began to give more serious consideration to sectionalist rumblings, primarily within political hard-liner circles. Self-determination arguments among southern churches were premised at one level on presumptions that strife being promoted by their northern counterparts threatened the ability of southern churches to fulfil theological responsibilities toward their congregations and communities. Methodist minister William Smith of Virginia, for example, contended in 1844 that the imposition of northern antislavery sentiments would “materially impair” the “standing and means of usefulness” of southern Methodists among their citizens.33

Calls began to be sounded by church leaders for some sort of separation within their denomination, with Methodists discussing some sort of territorial separation by the mid-1830s. Wilbur Fisk was said to have predicted a separation of the denomination along regional lines as early as 1835. By 1836, some delegates to the General Conference reportedly favoured “a separation from the Church unless abolitionists could be silenced.”34 By the end of the decade, the vilification of the north by southern churchmen and vice-versa had become patent. In a tone characteristic of southern Methodists’ disposition by 1840, North Carolina Methodist minister Walter Waighton identified northern Methodists as a “mean political machine, a powerful radical political organization, thoroughly drilled and disciplined as such, its political tactics thoroughly systematized in everything from the Sunday School up.”35

Tensions between the northern and southern sections of the MEC were pushed to the breaking point when, in 1844, members of the northern church discovered that a bishop of the southern church, James Andrew of Georgia, was a slaveowner. As a result, the 1844 General Conference meeting of the MEC was occupied almost exclusively by this issue. The arguments centred on whether possession of slaves by a bishop breached formal or informal denominational policies or uniquely compromised the integrity of the church’s ministry amongst its constituency at large. Northern delegates insisted the answer was yes on both counts. They argued that although largely ignored for decades, the 1784 policy of the MEC prohibiting elders from owning or selling slaves

34. Swaney, *Episcopal Methodism and Slavery*, 137.
35. Walter Waighton, Letter: July 16, 1866, in Thomas Lenoir Papers, Manuscript Department, Duke University, Durham, NC.
remained technically in force. They also pointed out that when the southern church had pressed years earlier for the appointment of the first southern bishop, southerners had agreed that whoever they presented for appointment would not own slaves. That this turned out not to be true of Bishop Andrew represented a violation of that agreement.

Because of this and because of the predominance of antislavery sentiment within the northern church, northern delegates indicated that confidence in Bishop Andrew’s ability to perform his duties had been irreparably harmed. A resolution was therefore introduced and subsequently passed which stated that, for the sake of “expediency,” Bishop Andrew’s powers as bishop be suspended until he appropriately resolved the matter regarding his slaves.

Southern delegates contended that Bishop Andrew had violated no ecclesiastical law, since the 1784 antislavery policy had been superseded by a series of “compromise laws” passed in the early 1800s on matters of slavery. One law stipulated that the north and the south were allowed to exist as “distinct parties in relation to the vexed questions of slavery and abolition.” Southern delegates argued further that Bishop Andrew had attempted to turn his slaves loose through the only legal means at his disposal, emigration to Liberia, but that they had refused. His only legal alternative would have been to sell them but, they pointed out, this was itself prohibited by the 1784 assembly ruling. Southern delegates warned the other conference delegates that suspending Andrew could not help but result in the formation of an independent conference of southern churches. The warnings went unheeded; and once the suspension was imposed on Andrew, the southern delegates introduced a plan of separation.

The initial plan of separation was submitted by William Capers of South Carolina on 3 June, 1844, but because not all the terms laid out in the plan were acceptable to both sides, it was not approved. Two days later, two southern delegates offered the resolution on separation that would become official. It stated, “Resolved, That the committee appointed to take into consideration the communication of the Delegates from the Southern Conference – to devise, if possible, a constitutional plan for a mutual and friendly division of the Church.” The plan was adopted on June 8 by a vote of 146 to 16, with the result that northern and southern Methodists comprised the separate denominations of the MEC and the MECS.

The regional separation between northern and southern Methodists (and similarly between northern and southern Baptists and Presbyterians around the

38. Ibid., 139.
same time) established important precedents and momentum for the later 1861 secession of the Confederate states from the Union. In a history of Methodism published in 1926, Charles Swaney contends that southerners inside and outside churches regarded the Methodist schism as the first step toward secession. Among these were southern statesmen such as John Calhoun and Henry Clay, with Clay stating for instance that the church schism was “fraught with imminent danger” for the stability of the Union.39 Similarly, Calhoun deplored the “weakening of the civil compact” when the “first link was struck out of (its golden chain) by the rupture of the Methodists.”40

Nevertheless, clerical opposition to sectionalist dispositions and to church collusion with those forces persisted among southern Methodists even after the denominational division. Consequently, measures aimed at suppressing viewpoints and actions deemed out of step with presumed southern regional interests were pursued with ever greater intensity.

**Post-schism Antislavery Sentiment**

Despite the separation of the Methodist Church into distinct north and south ecclesial bodies, southern Methodists still had to contend with a lack of unanimity on the slavery issue and support for sectionalism within the ranks of their newly established MECS. Although southern churches continued to evidence two opposing viewpoints on the slavery issue, the intensity of the debate, and the interconnectedness between southern religion and southern politics, would not allow southern churches to straddle the slavery issue for long. Also, with sectionalist strategies gaining momentum (and certainly bolstered by denominational regional divides), a political secession of the south was viewed not only as increasingly possible but as increasingly probable. Yet, there was a lack of unanimity among southern Methodists on this, including noticeable opposition to secession on the part of some southern Methodist clergy.

A Virginia MECS minister, B.F. Brooke, condemned secessionism for the “wo, and bankruptcy, and agony, and death” that it would inevitably produce. He laid the responsibility of secessionism at the feet of “crafty politicians, and designing demagogues, and factious partizans, and hordes of office seekers . . . [out] . . . to gratify their lust of power and lust of gold.”41 An MECS newspaper, *The North Carolina Christian Advocate*, declared in a January 1861 editorial that

39. Ibid., 288.
a “greater calamity cannot befall Christendom or the world” than the “permanent dissolution” of the Union and the Constitution. The editorial contended that “the rights of the South could be more easily secured and maintained in the Union, than out of it.” It went on to blame the potentially disastrous course the south was embarking upon on “the immoderate haste” of South Carolina.42

An MECS professor in North Carolina, Brantley York, cited his opposition to secession, believing secession and war to be “synonyms” and that with the onset of war, “those who had the least interest in slavery would have to face the danger and make the greatest sacrifice of health and life.”43 His predictions would turn out to be all too accurate.

Recognizing the dangers inherent in allowing churches to become embroiled in the conflict over slavery and secession, some concerned clergy responded by drawing attention to intersections between that ideological dilemma and debates about appropriate domains and spheres of authority for churches versus the civil powers. Southern church leaders turned their attention to attempting to clarify these boundaries of authority.

Various arguments were put forth in an attempt to highlight the increasing entanglement between southern religion and politics and to clarify boundaries of authority. Within Methodism, these conceptualizations of boundaries between religion and politics could readily draw upon Wesleyan and Arminian teachings conferring a divine purpose upon both church sector and civil sector institutions while relegating them to their own proper spheres of operation and authority. This theme of proper spheres of authority was captured in an 1843 editorial published in a southern Methodist newspaper, The Richmond Christian Advocate:

Pure Christianity never was, nor never can be, the national religion of any country on earth. It is a gold too refined to be worked up with any human institution, without a large portion of alloy; for no sooner is this small grain of mustard seed watered with the fertile showers of civil emoluments than it grows up a large and spreading tree under the shelter of whose branches and leaves, the birds of prey and plunder will not fail to make themselves comfortable habitations, and thereby deface its beauty and spoil its fruits.44

42. North Carolina Christian Advocate, 8 January 1861.
44. The Richmond Christian Advocate (Richmond, VA), 8 June 1843.
A similar tone was taken by a Methodist minister in North Carolina when he remarked, “Sometimes it is true, a union of Church and State has been effected, but God has refused to approve the junction. In every instance the Church has suffered loss, and much mischief.”

A Methodist Bishop in North Carolina, Enoch Marvin, recounted some time later what he claimed was the attitude of the southern church on politics before the Civil War and beyond, stating that political partisanship by churches had been viewed as condemnable on several grounds. In the first place, he argued, it rendered churches “unacceptable and uninfluential” with persons who possessed political views opposite to those being taken by the church. He also noted that paying too much attention to politics not only made the church appear far too secular an institution to the public, it also had a disturbing secularizing effect on church members and clergy who “ought to be wholly devoted to God and His cause.” He concluded that in any alliance between religion and politics, churches would inevitably be “debauched.”

These sentiments were echoed with greater poignancy by Bishop Enoch Marvin when he observed that churches were by virtue of their spiritual conscience “fanatical and unnaturally sensitive.” The political consequence of this, he argued, was that when this spirit was introduced into political causes, it produced a “monster, and always a bloody one.”

Nevertheless, southern Methodists became strongly associated with pro-secessionist viewpoints, vocalizing them with frequency in the early 1860s. Swaney observed that as early as January 1860, southern Methodists papers such as the Richmond Advocate “boldly espoused the cause of secession.” An article in an early 1861 edition of the North Carolina Christian Advocate, a paper that had consistently eschewed church interference in political affairs, debunked notions that southerners were so divided on secession as to imply approval of northern “coercion.” It went on to boast that not a man in the south would “hesitate to repel with all his ability to the very last extremity, any attempt at coercion.” By April of 1861, the paper’s political rhetoric had heated further, calling on the south to be “united to a man.” The same article admonished that any southerner with opinions “damaging” to the southern

46. Enoch Marvin, The Duty and Destiny of the Methodist Episcopal Church, South (1872), 22–23.
47. Ibid.
49. North Carolina Christian Advocate, 4 February 1861.
cause should either “hold their peace, and sustain the cause of the South” or “go over to the enemy” rather than divide the south.\textsuperscript{50}

### Suppression of Dissent

It is safe to say that denominational schism was a significant step toward structurally constricting the theological cross-currents that had shaped and moderated Methodism’s national fellowship. By rooting out a range of formal opposition, the field was cleared for more reactionary southern Protestants to steer southern churches in directions dictated by southern political imperatives. But since not all the resistance to the reactionary designs of southern church activists emanated from above the Mason-Dixon line, as it was resident within southern churches themselves, pacifying internal opposition to the proslavery, pro-sectionalist agenda became a primary front for ecclesiastical battles in the years after the schisms.

In these efforts to quell internal southern church dissent and consolidate southern territorial strategies, harsher tactical measures for suppressing dissent became routinized within southern churches. One tactic used was to place dissenting clergy on trial – and in civil courts more than ecclesial ones. A trial considered as a precedent for subsequent developments within southern Methodism involved a Methodist minister Jacob Gruber, a presiding elder in Maryland. Gruber was called upon to preach at an 1818 camp meeting in Maryland attended by 4,000 to 5,000 white people (including most of the principal slaveholders of the county) and 300 to 400 Black people. Gruber, who was opposed to slavery but was not known to openly advocate an antislavery position, decided on this occasion to preach a sermon that explicitly addressed the slavery issue. He stated amongst other things that slavery was a national sin and that Methodist participation in the practice was a reflection of the fact that these Christians did not sufficiently read, believe, or obey the Bible. He argued that the sinfulness of the practice could be seen in that slaves were bought and sold as if they were animals rather than human beings; that slaveholders had been known to treat slaves cruelly; and that the marriages and families of slaves were consistently torn apart against the scriptural injunction “That which God has joined together let not man put asunder.” He also preached that if a slave received salvation, he or she would end up in heaven and be thereby better off than an unsaved slaveholder destined for hell.

All of these things infuriated much of his white audience to the point that they had a warrant issued for his arrest. He was arrested almost three months

\textsuperscript{50.} \textit{North Carolina Christian Advocate}, 29 April 1861.
later while attending a Methodist quarterly meeting. Gruber was charged with “maliciously . . . endeavoring to disturb the tranquility, good order, and government of the State of Maryland, and [endangering] the persons and property of a great number of the quiet and peaceable citizens of said state.” He was tried before a grand jury in Hagerstown. The trial lasted two weeks and concluded with a verdict of not guilty. Nevertheless, the author of the account notes that what happened to Gruber greatly contributed to the climate of intolerance that overtook southern Methodism in later decades.51

The laity’s proclivity toward settling their grievances against ministers through extra-ecclesiastical means was demonstrated in their reliance on the use of even less “civil” measures such as terror. Methodist laity frequently engaged in acts of mob violence and vigilante committee-style justice against opponents of slavery inside and outside of the church. During the early 1840s, a Methodist minister in Manchester, South Carolina, a Rev. Garrison, had to break off from preaching and “take to the bushes” in order to escape from a mob pursuing him for his antislavery views.52 Another Methodist minister in South Carolina, James Jenkins, recounted how while preaching and administering the sacraments to a congregation to whom his antislavery views were apparently no secret, some of the parishioners interrupted the proceedings and taunted him to come outside so they could use the whip on him. He managed to escape without injury.53

Between 1850 and 1860, mob and vigilante committee actions against ministers with antislavery views steadily increased. An MECS minister in western Virginia, Wesley Smith, conducted a preaching and lecture tour in his district in 1855 in which he made a series of claims that horrified his audiences. He declared slavery an evil and the Fugitive Slave Law unjust, chided ministers for their association with slavery, defended the northern MEC’s position on slavery and actions against Bishop Andrew, and insisted on the right of southerners to freedom of speech. It was not long before he was accosted by a mob that demanded his silence. He persevered, however, and went on to publish antislavery tracts in the area.54

Although almost all white Methodists in the south belonged to the MECS after 1844, a modest number of southern Methodists were affiliated with the Wesleyan Methodist denomination. Wesleyans were Methodists who broke

52. James Jenkins, Experience, Labours, and Sufferings (Privately printed, 1842), 96.
53. Ibid., 97.
54. Eaton, Freedom of Thought, 297.
away from the MEC prior to 1844 primarily to form an antislavery church. As might be expected, Wesleyan Methodists were particularly conspicuous targets of the repressive tactics of the MECS. A case is cited where a Wesleyan Methodist minister in Grayson County, Virginia, Jarvis Bacon, met with bitter opposition in 1849 for his antislavery views and for "stealing" members away from the nearby MECS congregation. He was arrested, tried and convicted, and ordered to leave the state and was informed that a 1,000 dollar price would be placed on his head, dead or alive, if he ever returned. The foreman of the jury that convicted him was an MECS pastor. Another Wesleyan minister, Daniel Worth, was arrested in Guilford County, North Carolina, in 1859 for preaching sermons intended "to make slaves and free negroes dissatisfied with their condition." Huge crowds anxious to see punishment exacted gathered around the jail and filled the courtroom during the trial. Worth was convicted in a trial lasting one day and sentenced to one year of imprisonment, but he was spared the whipping customarily a part of the sentence because of his advanced age. Many of the bystanders were reported to have been distressed over the leniency of the sentence and pressed to have the case moved to another county where the whipping penalty was more likely to be reinstated into the sentence.

Another method successfully employed by laity for the purpose of censoring their ministers was to threaten to cut them off financially. Long-time Methodist pastor in North Carolina Washington Chaffin, commenting on how Methodist laity attempted to control their preachers, noted that the penalty for ministers who failed to go along with the preferences of the laity was that the laity would simply withhold the minister’s salary. He stated that Methodists “value the sermons by dollars and cents.” The fact, as suggested by some observers, that Methodist ministers had developed a taste for “ease and opulence” made them unduly mindful of financial matters and thereby more vulnerable to economic blackmail by laity.

Nevertheless, neither repression from below nor lack of support from top levels of the denomination suppressed the “greater diversity of opinion” characteristic of Methodism more than other denominations, according to Margaret

DesChamps. This diversity, rooted in conflicting positions over the slavery issue, left southern Methodism embroiled in factionalism through the run-up to civil war. A continuous effort by a remnant of southern clergy to maintain a separation between religious and political affairs was evident through the late 1850s and early 1860s, but with each passing year in the decade preceding the war, dissenting clergy became an increasingly small minority. Their dwindling numbers and voice were further diminished by the loss in 1854 of any remaining backing for antislavery views at official ecclesial levels when all legislative opposition to slavery within the MECS was removed.

The formation of the Confederacy in February of 1861 and the onset of the war beginning with the battle for Fort Sumter in April clearly broke down the remaining southern Protestant reluctance, if not resistance, to enlisting with the proslavery secessionist agenda. It would take the desolation of southern churches, mounting southern casualties, and the increasing devastation of the south in general to revive a discourse among southern Protestants over the appropriateness of too close a formal interaction between religion and politics.

60. Swaney, Episcopal Methodism and Slavery, 246-49.
6. Moral Discernment and Slavery

The Case of the African Methodist Episcopal Church

Dennis C. Dickerson

The Wesleyan Background

Between 1787, the origins of the African Methodist Episcopal Church (AME), and 1865, when slavery ended in the United States, this Black religious movement and ecclesiastical body consistently evidenced and articulated a deep moral discernment about the sin and evil of slavery. Though no change ever occurred in AME opposition to slavery or consciousness of slavery’s violation of biblical scripture, denominational developments related to the church’s vulnerable presence in border states and southern areas in the United States (where pro-slavery influences were strong and often violent) scared ministers and members into silence and, at times, aloofness from organized anti-slavery efforts. Moreover, AMEs who participated in enslavement, mainly to manumit family members, contravened church policies that forbade membership to anyone holding others in bondage. Notwithstanding these examples of episodic equivocation, unbroken official opposition to slavery – sometimes expressed in dangerous insurgencies, including an abortive slave insurrection and involvement with the Underground Railroad – showed a pattern of AME activity against Black bondage.

Imprinted into the ethos and into the institutional DNA of African Methodism was an intense moral discernment about slavery. The founder of Methodism in 1739, John Wesley, and the former slave who started the African Methodist movement in 1787, Richard Allen, espoused a condemnation of slavery that became a foundational theological tenet. What developed in the theology of John Wesley and in the hymnody of his brother, Charles Wesley, were themes and lyrics that explained salvation as striking off the shackles of personal sin and suggesting the same against the strongholds of social sin. In blending these beliefs, these religious ideas (diffused from Great Britain to
the British North American colonies) implanted an antislavery character into Methodism in America. Richard Allen, a slave who was exposed to Methodist preaching and singing, heard in Wesleyan meetings about the dual tyrannies of sin and slavery. This understanding of Methodism, which initially arrived in 1766 in New York City, impressed Allen, a convert in Delaware, in 1777. He assessed the sect’s policies and practices over the rest of his long life based on these early experiences in the Wesleyan movement.

Wesley’s theology, often characterized as “practical theology,” elaborated on God’s prevenient grace in steering humankind to salvation in Jesus Christ and onto holiness and perfection through the sanctifying work of the Holy Spirit. Wesley said that “at the same time that we are justified [saved], yes, in that very moment sanctification begins [and] . . . we are inwardly renewed.” He added that God circumcises the heart, as Deuteronomy 30:6 says, “to love the Lord your God with all your heart and with all your soul.” This, Wesley declared, shows how one “is perfected in love” and brought to “full salvation.” Being perfected signified that from the time of sanctification “a believer gradually dies to sin and grows in grace.” This spiritual regeneration or scriptural holiness accomplished in believers unleashed a pursuit and zeal for societal renewal. The “new creation” is achieved through the salvific activity of the Godhead in the hearers of the word and through them as doers of the word. Spiritual renewal becomes inextricably linked and inevitably realized in social holiness. Sin in the individual is recognized as just as repugnant as social sin in the form of slavery and other systemic manifestations of evil. Hence, Wesley, in characterizing “the people called Methodist,” said that they exhibit a “holiness of heart and life” and that they imitate God “in justice, mercy, and truth.”

Methodists had this mandate to personify spiritual renewal that the Godhead divinely developed within them and conveyed through them to the rest of creation. Hence, frontline combat with sin and slavery, at least for John Wesley, became an urgent pursuit. In publishing in 1743 *The Nature, Design and the General Rules of the United Societies* for the nascent Methodist movement, Wesley opposed the buying and selling of human beings. Also, in his opposition to slavery, Wesley eschewed the racist rationale for enslaving Africans by asserting that they were civilized and governed in polities that were orderly and civil. Those kingdoms that were Islamic encouraged in their adherents “modesty, attention, and reverence” in the practice of their faith.” Those engaged in slave

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trading, said Wesley, should know that God will judge them “and at that day it shall be more tolerable for Sodom and Gomorrah than for you!” He declared, “liberty is the right of every human creature, as soon as he breathes the vital air. And no human law can deprive him of that right.” Africans were made in God’s image, and “are not these also the work of thine hand, the purchase of thy Son’s blood.” In linking Jesus to breaking the chains of both sin and slavery, Wesley pleaded to God: “O burst thou all their chains asunder: Thou Saviour of all, make them free, that they may be free indeed.”

Moral Discernment among AME Progenitors

As Methodism spread to the British North American mainland, preachers arriving from Great Britain were already grounded in their sect’s foundational ethos in antislavery. Not only was opposition to the bondage of Blacks integrated into Methodist preaching, the informal and racially mixed settings where these sermons were delivered reinforced Wesleyan egalitarianism in the spiritual and social realms. Moreover, a Methodist vocabulary, recited through hymnody and scripture, influenced the language of conversion accounts in which new adherents referred to emancipation from the shackles of sin and rejoiced in the attainment of spiritual freedom.

Richard Allen was born in bondage in Philadelphia in 1760 and sold with his family to another owner, Stokeley Sturgis, near Dover, Delaware, who then bartered away his mother and three siblings to a third slave master. Allen encountered the Wesleyan movement in the midst of slavery’s cruel consequences. That Allen’s mother had belonged to at least four slave owners explained, in part, why her son said that “slavery is a bitter pill.” The sect’s advocacy against slavery and its colour-blind preaching and practices, which accompanied the promise of manumission from sin and slavery, made Methodism irresistible to this late adolescent slave. While scripture and spirituality guided both Wesley and Allen to moral discernments about slavery and why it was unchristian, Allen’s primary experience with chattel servitude and its inhumanity bolstered his certainty that race-based bondage violated what God intended for humankind.

Allen recalled that “the Methodists were the first people that brought glad tidings to the colored people” and that he felt “thankful that ever I heard a Methodist preach.” When he was converted to Christianity, Allen viewed it


through a Methodist prism. Though he already knew that both slavery and sin were wrong and that he needed deliverance from them, these themes embedded in Methodist preaching confirmed Allen’s attitude about these evils. Allen, in recounting his conversion, said, “All of a sudden my dungeon shook, my chains flew off, and glory to God, I cried. My soul was filled. I cried, enough for me the Saviour died.” This salvific rhetoric drew from Charles Wesley’s lyrics in his 1738 hymn, “And Can It Be.” In the fourth stanza Wesley wrote:

Long my imprisoned spirit lay,
Fast bound in sin and nature’s night;
Thine eye diffused a quick’ning ray
I woke; the dungeon flamed with light;
My chains fell off, my heart was free,
I rose, went forth, and followed thee.⁴

Wesley drew these words from Acts 12:7, in which the imprisoned apostle Peter is rescued from jail by an angel:

And, behold, the angel of the Lord came upon him, and a light shined in the prison; and he smote Peter on the side, and raised him up, saying, Arise up quickly. And his chains fell off from his hands.

Allen’s conversion narrative, reflective of Wesley’s hymn and New Testament scripture, alluded to the sin from which he was released and to the temporal slavery from which he eventually would escape. Allen’s Wesleyan phraseology, in mirroring Methodist moral sensibilities, provided him with the conceptual resources to articulate a freedom ethos for African Methodism. Because hymnody and scripture framed Allen’s conversion narrative, they empowered him to offer an alternative biblical interpretation about slavery and African American degradation to those who articulated pro-slavery and anti-Black perspectives.⁵

Methodism, which was Allen’s pathway to Christian salvation, was similarly crucial to his route to temporal emancipation. Because slave owner Sturgis believed that Allen’s religiosity made him a more industrious labourer, he accepted his offer to invite Methodist ministers to preach at his house. Predictably, in one sermon, Freeborn Garrettson selected a scripture that implicitly condemned slaveholding. As a result, Sturgis, Allen observed, resolved that “he

⁴. Ibid., 13, 28; Dennis C. Dickerson, African Methodism and Its Wesleyan Heritage: Reflections on AME Church History (Nashville: AME Sunday School Union, 2009), 15.
⁵. Dickerson, African Methodism, 15.
could not be satisfied to hold slaves.” What Allen seemingly orchestrated led Sturges to agree for him and his brother to earn money in their spare time to purchase their freedom, a goal they attained in 1783. Allen was probably sure that the zeal of the Methodists for his manumission would sway his slave owner. The Methodists, Allen recalled, drew “their greatest support” from slave Blacks in Delaware. These Black converts often sold produce from their gardens and “divide(d) our little support among the white preachers of the Gospel.” Hence, Allen could count on Garrettson and others to advocate for their emancipation and honour their reciprocal relationships.6

Allen, who became a travelling Methodist preacher, continued his easy interactions with Wesleyan whites. Successive sojourns throughout the Middle Atlantic states deepened his relationships with a range of Methodist adherents for whom he frequently preached. In the spring of 1784, for example, he met Benjamin Abbott, “that great and good apostle.” Abbott, he said, “was one of the greatest men that ever I was acquainted with.” He added,

He seldom preached but what there were souls added to his labor. He was a man of as great as any that ever I saw. The Lord was with him, and blessed his labors abundantly. He was a friend and father to me. I was sorry when I had to leave West Jersey, knowing I had to leave a father.

Allen, an increasingly visible Methodist, experienced the sect’s validation of Black preachers, its egalitarian treatment of African American converts, and its early and unambiguous opposition to slavery. These Wesleyan practices became for this ex-slave the template by which he would assess future Methodist developments.7

In attending the “Christmas” Conference in Baltimore in 1784 that established the Methodist Episcopal Church as a separate religious body independent of the still living founder, John Wesley, and his British judicatory, Allen, at least symbolically, took his place as a part of the founding generation of Methodism on the North American mainland. His presence at the meeting and his decade-long interactions with racially inclusive Methodists qualified him to judge and critique Methodist trajectory in American society. Allen, in testing Methodism against his vision for the Wesleyan movement, was compelled to form a parallel denomination that he envisaged as better aligned with the sect that he remembered in the 1770s and early 1780s. When he attended the Christmas Conference, he detected the beginnings of a spiritual declension that

7. Ibid., 17.
presaged other disappointments that he would experience among the Methodists. These disillusionments derived from white Wesleyan retreats from the antislavery attitudes and policies that John Wesley poured into this evangelical body. An eventual backtracking from opposing slavery to excusing it made it easier for racial discrimination to arise in how white Methodists treated fellow Black adherents.

At the Christmas Conference Allen noticed that once unpretentious circuit riders, revivalists, and camp meeting preachers approved of clergy whom the ex-slave described as “entitled to the gown.” These vestments, more characteristic of the Church of England than the Methodists, signified ostentation and not humility. But their use signalled that something new was happening among Wesleyan followers. As Methodists enjoyed evangelical success, especially in the slave South, and growth in the cities, they became more and more respectable, “and I have thought,” commented Allen, that “religion has been declining in the church ever since.” These broader transformations in Methodism, which Allen first detected at the Christmas Conference, framed how he perceived his subsequent racial experiences. He concluded that the denomination emerging out of the Christmas Conference seemed strikingly different from the Methodism that he encountered a decade earlier.8

Methodists mirrored the Quakers when they refused fellowship with members who owned slaves, and they acted similarly toward local preachers who defied rules against holding others in bondage. The Christmas Conference maintained the stricture against slavery by denying the eucharist to slaveholders. Southern Methodists, however, recoiled and the rule was relaxed because preachers wanted to preach to slaves and needed the acquiescence of their masters. This rationalization was sustained in a 1796 pronouncement that encouraged the manumission of slaves when local conditions allowed. By the turn of the 19th century, one historian of Methodism, Donald Mathews, declared, “anti-slavery men began to find themselves able to live with slavery.” This happened, in part, as Mathews noted, because “the Methodist ministry was becoming identified with the South and its institutions” and slavery was integral to that environment.9

In the midst of the Methodists redefining their posture toward slavery, Allen experienced how these equivocations poisoned their treatment of Wesleyan Blacks. Allen’s reputation as an effective evangelist to whites persuaded the minister in charge at St George Church in Philadelphia to invite him in 1786 to preach in the city. While discharging these responsibilities, “I soon saw,” Allen

8. Ibid., 20.
Dennis C. Dickerson

said, “a large field open in seeking and instructing my African brethren, who had been a long-forgotten people and a few of them attended public worship.”

When Allen organized a congregation of 42 members and proposed to build a church for them, Methodist clergy opposed them and “used very degrading and insulting language to us, to try and prevent us from going on.” Additionally, Bishop Francis Asbury, whom Wesley sent to America in 1771 and who espoused the founder’s racial egalitarianism, invited Allen to go with him to preach “in the slave countries.” Asbury, however, forbade Allen to “intermix with the slaves” and required him “to sleep in his carriage.” Allen forthrightly told the bishop, “I would not travel with him on these conditions.” Moreover, in 1787, Allen and his followers, while worshiping at St George Church, were segregated and later manhandled during a service. As a result, they bolted, walked out, and took religious refuge in their already organized Free African Society (FAS). Though most FAS members preferred to affiliate with Anglicans, Allen and a small group elected to remain as Methodists because Allen saw merit in “the simplicity of the Gospel” for which Methodists were known and to which he was initially exposed. His solution lay in launching African Methodism as the antidote to a Wesleyan movement whose moral discernment about the evil that was slavery was being sullied. Allen’s version of Methodism would restore it to first principles that the still living John Wesley articulated in the 1743 General Rules.

Though Allen raised funds to construct Bethel African Methodist Episcopal Church in 1794, its affiliation with the Methodist Episcopal (ME) Church’s Philadelphia Conference convinced successive pastors at St George to claim jurisdiction over the congregation’s pulpit and property. In a series of court cases lasting through 1815, Allen established Bethel’s independence. In 1816 he and like-minded African American Methodists in Baltimore, Salem, New Jersey, and Attleboro, Pennsylvania met at Bethel Church to found the African Methodist Episcopal Church with Allen as the first elected and consecrated bishop. Baltimore’s Daniel Coker, who was elevated to the bishopric along with Allen and who declined in favor of his Philadelphia colleague, settled in 1820 in Sierra Leone believing that African Americans could realize their freedom through emigration to Africa. When the Discipline of the African Methodist Episcopal Church was published in 1817, Allen followed Wesley’s lead and inserted a proviso about slavery. A disciplinary question was posed asking, “What shall be done for the extermination of slavery?” The answer was, “We will not receive any person into our society, as a member, who is a slave-holder; and any who are

11. Ibid., 21–24, 28; Mathews, Slavery and Methodism, 7.
now members, that have slaves, and refuse to emancipate them after notification being given by the preacher having the charge, shall be excluded.”

Richard Allen and others within the founding generation of African Methodism had been born into slavery and shaped by their “involuntary presence” within American society. Hence, they experienced first-hand the dehumanization that was intrinsic to Black bondage. Their forced chattel servitude, the foundational reality in their consciousness, framed their encounters with Christianity. Surely, for Allen, whose family had been sold and transferred to at least four slaveholders and suffered painful and permanent separation from each other, needed no Methodist evangelist to awaken him to the sinfulness of slavery. Though the memory of an African religious past may have faded within his family, Allen perhaps instinctively knew that there was no moral justification for slavery. Hence, he asserted, “I had often impressed upon my mind that I should one day enjoy my freedom.” The divide between Allen’s impulse to be free and the realization of his emancipation was bridged through Methodist salvific preaching that both he and Sturgis received. What Allen drew from Wesleyan theology and hymnody was scriptural affirmation of his personhood and that of others of African descent as God’s own creation, and he heard sermons that hurled unambiguous condemnations against slavery.

The establishment of the African Methodist Episcopal Church was itself an institutional rebuke to slavery. Beyond the creedal and disciplinary declaration against bondage in the 1817 Discipline, the denomination’s earliest leaders blended antislavery advocacy into their ecclesiastical operations. As a result, AME adherents viewed the maintenance of their religious body as much as antislavery agitation as an overt act of defiance against slavery. Hence, Allen, at no point in his clerical career, refrained from fierce denunciations of slavery. Moreover, he stamped this legacy onto African Methodism as a “freedom” church. In “An Address to Those Who Keep Slaves and Approve the Practice,” Allen told slaveholders “how hateful slavery is in the sight of that God who hath destroyed kings and princes for their oppression of the poor slaves. Pharaoh and his princes, with the posterity of King Saul, were destroyed by the protector and avenger of slaves.” He added that Israelite slavery in Egypt “shows how slavery had debased their spirits. Men must be willfully blind and extremely partial, that cannot see the contrary effects of liberty and slavery upon the mind of man.” Moreover, he asserted “that God himself was the first pleader of the cause


of slaves.” He admonished slaveholders “if you love your children. If you love your country, if you love the God of love,” then “clear your hands from slaves; burden not your children or your country of them.”

Allen also concretely facilitated the emancipation of slaves through both individual and collective efforts. He cooperated with the Pennsylvania Abolition Society (PAS) in aiding slaves caught in the middle of the state’s gradual emancipation law. He joined the PAS in intervening in the sale of a slave to an out-of-state buyer. Blacks elsewhere, including some in the slave South, whom Pennsylvanians wrongly claimed as slaves, also appealed to Allen. As the owner of a chimney sweeping business, Allen provided economic opportunities by offering indentures to young Blacks, some of them ex-slaves from Jamaica, to learn this vocation. The Free Produce Society of Pennsylvania, which promoted the boycott of products generated by slave labour, also drew Allen’s support. He belonged to the Colored Free Produce Society and allowed the group in 1830 to meet in Bethel Church.

The antislavery ethos that Allen articulated for African Methodism was reflected in his wife, Flora Allen; the widowed Sarah Bass, whom Allen married after the death of his first wife; and Jarena Lee, the spiritually energetic preacher he licensed after initially refusing to validate her call to preach. Flora Allen, like her husband, was born into slavery, but in the Isle of Wight, Virginia. How she came to Philadelphia is unknown, but her manumission by the PAS was documented. With Allen, whom she married in the 1790s, she co-signed what seemed the transfer of the couple’s property to Bethel Church. She died in March 1801 and was praised for her “piety, charity, and other Christian virtues,” which included a partnership with Allen in launching African Methodism.

Sarah Bass, also born in Isle of Wight, married Allen in August 1801 and became his widow in 1831. Until her death in 1849, her home became well known among fugitive slaves as a stop on the Underground Railroad. Her eulogists, who hinted at her slave background in Virginia, recalled her abolitionism:

The poor, flying slave, trembling and panting in his flight, has lost a friend not easily replaced; her purse to such, as well as others, was ever open, and the fire of those eyes, now closed in death, kindled with peculiar brightness as she

16. Poulson’s American Daily Advertiser, 14 March 1801.
would bid them God speed to the land of liberty, where the slave is free from
his master, and the voice of the oppressor is no longer heard.

Though scarcely acknowledged in antislavery chronicles, the furtive insur-
gency of Sarah Allen complemented her better-known role in African Method-
ism as “one of those noble spirits who, with her husband, our venerable father
in God, battled mightily for the establishment of our beloved Zion.”

Jarena Lee, who traveled hundreds of miles as an evangelist within the
northeastern United States to innumerable religious venues including several
that were AME, viewed abolitionism as integral to her spiritual witness. After
filling a preaching appointment in New Jersey, Lee went to New York to attend
an antislavery convention and to connect with a female friend “who was ever
zealous in the good cause of liberty and the rights of all.” In response to various
“eloquent speeches,” Lee reported, “I felt the Spirit of God was in the work,
and also felt it my duty to unite with this (anti-slavery) Society.” She said, “The
cause is good, and I pray God to forward the work of abolition until it fills the
world and then the Gospel will have free course to every nation.” Lee, like John
Wesley, was awakened by the Holy Spirit and brought to a moral discernment
that slavery was wrong.

When Morris Brown, a free born mulatto, established in 1817 an African
congregation in Charleston, South Carolina, a major institutional insurgency
to slavery developed. Brown affiliated the congregation with the Philadelphi-
based AME Church in 1818 and grew the parish to 3,000 parishioners. The
congregation of free and slave Blacks, whose origins lay in the United States, the
Caribbean, and Africa, agreed that African Methodism should mobilize against
slavery. Harnessed to a diasporic Black religious body nationally and ministers
and members locally with proximity to slavery, the Charleston church became
the institutional setting that incubated a planned insurrection that would be
launched on 14 July, 1822. Denmark Vesey, a manumitted ex-slave from the
Danish West Indies and a local AME preacher, spearheaded a plan to realize
this objective.

Vesey contacted two slaves who belonged to the same masters and another
two held in bondage to two other slave holders. A key conspirator was Gullah
Jack, an African slave, widely known as a sorcerer who “could neither be killed
nor taken.” Moreover, it was rumoured that the AME member possessed
unusual power over the other plot participants because “whilst they retained

the charms which he had distributed they would themselves be invulnerable.” Vesey planned an attack on Charleston with the cooperation of numerous local slaves and the secret seizure of arms from slave owners. When the plot was uncovered, with the help of slave informants, white authorities testifying in the Vesey trial record that

a decided majority of the insurgents, either did or had belonged to the African Congregation, among whom the enlistments were principally and successfully carried on. From the testimony, the presumptions of innocence are in favor of the Bishops and Ministers (as they styled themselves) of the Congregation; but two of them have left the state under strong suspicions of having favored the plot. The class leaders appointed by them, certainly did belong; two of whom were principals, and Vesey their chief and a fourth leader though not class leaders, yet belonged to the Congregation.19

With the conspirators tried and executed and the AME Church under siege and physically destroyed, Morris Brown escaped to Philadelphia, where Richard Allen sheltered him. One observer said, “Gullah Jack went to Father Morris Brown about the business (of insurrection), and that Father Brown said I am going to the North, but if you can get men you can try this business, but don’t call my name.” Allen surely sympathized with Brown and valued his leadership in Charleston and that of Denmark Vesey and the slaves they sought to liberate. Allen acknowledged the discontent of slaves in their degraded condition saying that “the dreadful insurrections they have made when opportunity has offered, is enough to convince a reasonable man that a great uneasiness and not contentment is inhabitant of their hearts.” Moreover, Allen concretized his endorsement of Brown, and perhaps tacitly, of Denmark Vesey, when he brought the founder of the Charleston church into the AME episcopacy in 1828 as the denomination’s second elected and consecrated bishop.20

Brown and Vesey, with Allen’s imprimatur, shifted African Methodism to a visible frontline role in opposing slavery. The AME Church, already an institutional aegis for Blacks, both free and slave, placed dual responsibilities upon its ministers and members. Their freedom pursuits required them both to sustain their ecclesiastical organization and to deploy it to advance African American freedom. Contrary to Allen’s vision and his validation of Brown and Vesey, some clergy and communicants sometimes believed that an emphasis on one

20. Ibid., 96; Allen, The Life Experience, 71.
activity over the other seemed necessary. The AME ethos, however, posited that maintaining the institution was itself a liberatory act that blended seamlessly into antislavery activity and other movements for Black freedom.

Moral Discernment amid Denominational Strains

Daniel A. Payne, the venerable bishop and founder of Wilberforce University, pondered this seeming dichotomy between vocations in an insurgent ecclesia and active abolitionism. Payne was born free in South Carolina in 1811 and was compelled to leave the state after a statute was enacted that closed the school he operated for African Americans. After his relocation to the North, he was invited in 1837 to become a public lecturer for the American and Foreign Anti-Slavery Society. “In those days of heroism and consequent fame,” he recalled, “they offered their laurels to any young man of talent and intelligence who might be willing to become the fearless and successful opponent of slavery.” Instead, he declined this opportunity in favour of full-time ministry that led in 1852 to the bishopric in the AME Church. Around the same time, Frederick Douglass, a slave and parishioner at Bethel AME Church in Baltimore, escaped bondage in Maryland in 1838 and settled in New Bedford, Massachusetts, and was licensed as an exhorter in the African Methodist Episcopal Zion Church. He chose what became a storied career as an internationally known abolitionist. In comparing himself to Douglass, Payne said, “When God has a work to be executed, he also chooses the man to execute it.” Hence, “Frederick Douglass was fitted for his specialty; Daniel Alexander Payne for his. Frederick Douglass could not do the work which was assigned to Frederick Douglass, nor Daniel Alexander Payne the work assigned to Frederick Douglass.” For Payne, some pursued freedom goals in maintaining the ecclesia while others did it as full-time abolitionists.21

Though African Methodism was envisaged as an institutional censure to slavery, some within the ecclesiastical organization mistook the church as their refuge from slavery and racial discrimination rather than an insurgent resistance to racist structures and practices. Frederick Douglass encountered this attitude at Bethel in Baltimore. The church, originally led by Allen’s peer, Daniel Coker, the denomination’s first elected bishop, nurtured the slave Douglass as a Christian convert. Five trustees of the congregation in 1835, however, fearful of white

hostilities in their slave city toward abolitionism, hurled criticisms at William Lloyd Garrison’s American Anti-Slavery Society for its “vile, mischievous, and incendiary publications.” The Bethel trustees meant to dissociate the local free Black and slave population from a group that stirred the ire of whites against them and perhaps their church. Maybe they were afraid that the fate of the African Church in Charleston would befall their religious body in Baltimore. Nonetheless, these equivocating expressions soured Douglass, still a slave, on Bethel Church, and he severed his affiliation with the congregation.22

Difficulties in reconciling the church’s bifurcated mission of maintaining itself both as an ecclesiastical organization and as an antislavery church produced significant institutional strains in the 1850s. The presence of congregations, both in the North and South, belonging to a Black independent and interstate religious bodies stood as an affront to the legal status quo of enforced African American subjugation. For some fearful AMEs, like the trustees at Bethel in Baltimore, protecting the legitimate institutional interests of African Methodism apparently compelled an accommodation to white anti-abolitionism. Bethel’s location in a slave city presaged similar dilemmas for AME congregations in Louisville, St Louis, and New Orleans – all places where the denomination encountered threatening pro-slavery influences. Some AMEs in these and other border and southern locales sometimes owned slaves, reputedly family members whom they purchased for purposes of manumission or others who were benignly secured for eventual emancipation. This consequence of AME growth complicated Allen’s original strictures against slaveholding members and the duty to expel them. Ironically, these challenges mirrored similar developments in the ME Church that culminated in schism in 1844 into respective antislavery northern and pro-slavery southern Methodist bodies.

The AME Book of Doctrine and Discipline compelled conferees at the inaugural 1852 New England annual conference to reiterate the denomination’s condemnation of slavery. “While we inhale the soft and sweet air of liberty,” they said, “we as Christians cannot forget the forlorn and mournful condition of those of our brethren who are held in chains.” In heed of the scriptural command that they should “remember those that are in bonds as being bound with them, we will ever invoke the power and protection of that God who executeth righteousness for all them that are oppressed.”23


Implementing this tenet sometimes strained ecclesiastical practice. In an 1852 letter to *Frederick Douglass’ Paper*, runaway slave and abolitionist Samuel Ringgold Ward told his famed colleague about “a miserable old man” who was pastor to the AME congregation in Toronto, Canada. “When a notice was sent to the African Methodist Episcopal Church, or Bethel church informing our people” about a school to aid fugitive slaves who escaped from the United States, the minister, Jeremiah Taylor, “would not suffer it to be read” to his members. Because of this refusal, Ward described the preacher as “a despicable pro-slavery pope” and delighted that some of his parishioners “are leaving that congregation” to follow a minister in another sect. Ward mentioned other “brethren” including “brother Brown” who denounced Taylor’s “abominable proslaveryism.” The Brown to whom Ward referred likely was Samuel Brown who recently served as the AME pastor in St Catherine, Canada, a well-known destination for fugitive slaves travelling on the Underground Railroad. Both Taylor and Brown, however, attended in St Catherine the AMEs’ 1852 Canada annual conference that voted to print and distribute the published proceedings Queen Victoria’s parliamentary speech, which reaffirmed Great Britain’s opposition to the African slave trade. Moreover, Taylor’s failure to promote Ward’s school probably derived from fears of potential competition with the Sabbath school his Toronto parish conducted. Despite Ward’s polemics about this suspected pro-slavery, AME, while scarcely erasing the denomination’s anti-slavery credentials, revealed institutional strains in how to operationalize the church’s abolitionist commitments.24

Additionally, the AME General Conference of 1856 was forced to clarify the denomination’s position on slavery, seemingly no problem for the church that Richard Allen founded. The Committee on Slavery, in a majority report about AME members, stated, “The buying and selling of men, women and children, except with an intention to free them immediately; or if he or they do not immediately emancipate them, he or they shall be immediately expelled.” The report added “that the AME Church, composed, as it is, of colored persons, identified with the slaves in chains, who never can be disassociated from them in their sufferings, do deeply sympathize with them in their tears and blood.” This majority report reflected the perspectives of AMEs, like J. J. G. Bias, a Philadelphia minister, who identified with the abolitionist movement. After the majority report was defeated, a minority report, which seemed more cognizant about the ambiguous position of AMEs living in proximity to slavery, proposed language

24. *Frederick Douglass’ Paper*, 12 February 1852 (Courtesy of Professor Richard J. M. Blackett, Vanderbilt University); Minutes of the Fourteenth Annual Conference of the African Methodist Episcopal Church for The Canada District, held in St. Catherine from Saturday, July 10th to Wednesday the 14th, Inclusive (Windsor, Canada: Bibb & Holly, 1852), 3–7.
to ease the timetable for slave manumissions. That report recommended no admission to “any person into our society as a member who is a slaveholder. Any person now a member, having slaves, who shall refuse to emancipate them after due notice has been given by the preacher in charge, shall be expelled.” These nuanced differences showed the tense interaction between activities pertaining to institutional preservation and the church’s insurgent impulses against slavery. While the successfully adopted minority report sympathized with the special dilemmas faced by AME congregations in slave cities, these debates showed no change in the denomination’s contempt for human enslavement.25

Bishop Payne’s presentation of an episcopal seal at the same 1856 General Conference highlighted the church’s commitment to basic biblical principles related to God’s creation of all people in the Lord’s image. God Our Father, Christ Our Redeemer, Man Our Brother affirmed that people were equal before God, that Christ was available to regenerate all in humankind, and that all persons were brothers and sisters locked in universal fellowship. These theological tenets, Payne demonstrated, were an implicit rebuff to slavery.26

AME expansion had another impact on the denomination’s antislavery identity. The same 1856 General Conference that vigorously debated the Committee on Slavery reports about slave holder membership also approved the separation of the churches in Canada into a derivative ecclesiastical body named the British Methodist Episcopal Church. Since the 1820s, fugitive slaves and free Blacks settled in Canada to escape southern slavery and anti-Black violence aimed against free Blacks in northern communities. They established AME congregations primarily in Ontario and required Bishop Morris Brown to preside in 1840 over a new Canada jurisdiction. When the Fugitive Slave Act was enacted in 1850, African Americans became increasingly convinced that protection for slavery in the United States was now nationalized. The British Empire, of which Canada was a part, already had manumitted slaves in England in 1772, ended the slave trade in 1808, and abolished slavery in all its dominions in 1833. Canada, now a certain safe haven for African Americans, beckoned AMEs to start a branch denomination in free environs denied them in the United States. So, Bishop Daniel A. Payne in Chatham, Ontario presided over the final session of the AME Canada Annual Conference and declared it as a BME jurisdiction. The body now affirmed that “British law throws the broad shield of equal protection over the life, liberty, and the personal happiness of

all its loyal subjects without regard to the clime in which they were born or the hue of their skin.”

Despite the separation, clerical credentials in the AME and BME bodies were interchangeable and operative in each organization. An AME bishop, Willis Nazrey, served as head of the denomination, and the BMEs retained the same moral investment in abolitionism in the United States as did its parent body. A BME conference in 1859 said, for example, that slavery “is a God-provoking and soul-damning sin, and justly called by the good and learned John Wesley, the sum of all villainies.” Additionally, the BMEs declared that “we feel for those in bonds, as being bound with them, and therefore, feel it to be our imperative duty, in obedience to the moral requirements, to do for the bondman as we would have him do for us.” The BME Church, which reunited with the AME Church in 1884, showed that African Methodism, whether in the United States or in Canada, retained its moral opposition to slavery even as complex institutional developments competed for the attention and claimed the energies of church leaders.

Moral Discernment and the Moral Clarity of the Civil War

Though initially skeptical about the Civil War as a war to liberate African American slaves, President Abraham Lincoln’s Emancipation Proclamation, issued on January 1, 1863, while limited in scope, drew cautious praise from The Christian Recorder, the AME newspaper. Concerning Lincoln’s declaration, the Recorder stated,

It will be seen that the President only makes provision for the emancipation of a part of an injured race, and that the Border States and certain parts of the rebel States are excepted from the relief offered to others by this most important document. We believe, those who are not immediately liberated will be ultimately benefited by this act, and that Congress will do something for those poor souls who will still remain in degradation. But we thank God and President Lincoln for what has been done, “and take courage.”

Moreover, the 1864 General Conference clarified any lingering ambiguities emerging out from the denomination’s official deliberations about whether

28. Ibid., 55.
slaveholders, notwithstanding their African heritage or benign motivations, were permitted membership in the AME Church. With a recounting of the church’s recent history of official declarations, general conference delegates asserted that “the teachings of our church,” in its early decades forbade “the buying and selling of men, women and children, with the intention of enslaving them.” This clause in the *Discipline*, however “was altered” at the 1856 General Conference, which stated that “the buying and selling of men, women and children, except with an intention to free them immediately, or if he, she, or they do not emancipate them, he, she or they shall be immediately expelled.” This change, albeit minor, became the “doctrine of our church.” The 1864 General Conference, in reclaiming the denomination’s original exclusionist language that asserted a non-negotiable bar to membership to anyone who held slaves, rejected the seemingly equivocal stand of the 1856 judicatory. “Thus our Zion,” delegates declared, “stands out before the Christian world, with clean hands and washed garments, of an evil so full of blood, villainy, and iniquity, that it had dyed deep (so to speak) every square inch of the morality, taste, virtue, refinement, social ability and religion of this otherwise happy and great country.” The delegates thanked God “that our Zion is delivered from this body of sin and death. A sin of which the very first booming cannon upon Sumter proclaimed its death and condemnation before the bar of an insulted and outraged Christian world.”

The Union victory, which came on 9 April, 1865, with the help of 180,000 Black troops, some of them recruited on the premises of AME churches in Baltimore and Washington, D.C., validated a long history of consistent moral discernment about the sin and evil embodied in slavery. Now the denomination could freely connect with the freed people in southern areas once off limits to AME ministers. The AME bishops in their address to the 1864 General Conference said,

The changes produced by the war in the South have again opened our churches in that region, so that we now have access to the city of New Orleans; and during the past year, our ministers have gone there and renewed their work. The cities of Memphis, Vicksburgh, Little Rock, Columbia, and Natchez(z), have also been visited by our ministers with prospect of great success.

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At Beaufort, South Carolina, in June 1865, AME minister Theophilus G. Steward in addressing ex-slaves said,

We have come to seek those who are our brethren by virtue of race; not because we care anything for races or nations, but because they have been and are yet in a great measure our brethren in affliction. And that very affliction has served to bind us together by the two-fold cord—sympathy, for the oppressed, and love of man. Our fathers have passed through the fiery furnace of slavery and escaped to the North, where a nominal or partial freedom reigns; they have taught us in infancy to remember those in bonds as being bound with them; and from our churches, our firesides and our closets have gone up the petition: “Oh Lord, remember those that are bound down under hard task masters, our brethren in affliction! Break every yoke, snap in sunder every chain, and let the oppressed go free!”

A consistent condemnation of slavery among AMEs over several decades characterized the denomination and kept the church’s antislavery position intact because African Methodism existed as an institutional rebuke to Black bondage. Although the General Conference of 1856 attenuated the church’s bar against membership to slaveholders, the rebuke of this position by the General Conference of 1864 reaffirmed AME denunciations of “the buying and selling” of human beings. That’s what Richard Allen believed and what his followers drew from the emancipationist ethos that he implanted within their AME ecclesia.

32. Theophilus Gould Steward, Fifty Years in the Gospel Ministry (Philadelphia: AME Book Concern, 1921?), 44.
CHURCH – STATE – SOCIETY
7. On the Role of Authority in Churches’ Moral Discernment during Apartheid

Dirk J. Smit

Authority and Moral Discernment in Apartheid Theology?
Authority always played a key role in apartheid – in the ideology, in the political and legal system, in the economic realities, and in the everyday social and cultural appropriation and implementation. But, indeed, it also played a role in the development and uses of what has come to be known as apartheid theology: the theological and biblical justification of apartheid in and by churches, most explicitly in churches from the Reformed tradition. This role of authority within apartheid theology was, however, a complex story and calls for closer description in any attempt to serve churches today with insight into their own processes of moral discernment.1

To begin with, there is often, and has perhaps always been, an awareness of clashes between different sources of authority present in these churches’ self-understanding. To a large extent, the struggle against apartheid already took the form of different struggles for authority between different sources of authority within these churches themselves. There was often an awareness of the contested nature of the apartheid ideology and of the fact that other sources of authority have different opinions. Those who loyally supported the ideology and followed the growing and increasingly authoritative tradition within the

apartheid churches were therefore aware of and indeed regularly reminded of other sources of authority with different, contesting, and contradictory claims. The processes of moral discernment that supported the apartheid ideology and theology were therefore never so clear-cut and straightforward. The adherents of apartheid also had to find reasons to reject and ignore other claims of authority speaking with different voices—interpretations of scripture; appeals to the theological tradition, experience and conscience; opinions of church leaders and theologians; the voices of other churches and ecumenical partners, public opinion and indeed the world at large. The role of authority in this moral discernment accordingly involved ongoing contestation and conscious choices against other forms and claims of authority. It was from the beginning a struggle for authority between authorities—also within these apartheid churches.2

The conflict between sources of authority was present from the early beginnings. An infamous decision by the Dutch Reformed Synod of 1857 is often quoted as one of the key moments in the later development of apartheid practices and thought. A rural congregation asked for permission to have separate celebrations of the Lord’s supper, based on race and perhaps on class, given their local circumstances. In their attempt to discern how to respond, the synod more or less argued that according to scripture this would be wrong since all believers should celebrate together as one body, but that in practice it may be wise to give in to “the weakness of some” and to allow such separate celebrations—which probably meant that otherwise white members might withdraw their support for mission work. Roughly interpreted, this decision showed how the authority of practical needs (of the church’s mission), and unspoken yet hidden behind these needs the authority of experiences of difference and prejudice, weighed heavier than the authority of scripture, about which the synod clearly was in no doubt. They were explicitly aware of this conflict (between scripture and experience) and made their choice (for experience) consciously and deliberately.3

The continuation of this story during the following decades is then both interesting and instructive with regard to moral discernment by the church.


3. For the historical development since these decisions, see Christiaan C. J. Loff, Bevryding tot Eenwording (Kampen: Theologische Universiteit, 1997).
In the course of time, the logic of this original decision was forgotten and, for the sake of church practices and theological reflection, this logic was actually denied and reversed. The decision developed into full-scale separation between believers, later also separate congregations, later also separate denominations, all based on race, ethnicity, and culture. It has even been claimed that these developments eventually led to the political ideology and policies of apartheid, later also called separate development, which became the official policy of the country after 1948 – but by now these developments were justified and propagated as biblical. Now the original acknowledgement that it was contrary to the message of scripture was completely forgotten and reduced to silence. In church and public life, these practices and policies were by now proclaimed and defended as moral, as the will of God according to the scriptures. In fact, in these apartheid churches, those who dared to disagree and to argue against apartheid and who disagreed with this new kind of appeal to the authority of scripture were publicly rejected and in many ways marginalized.4

During this historical process, several other sources of authority clearly also played important roles, some to inform and inspire the form of moral discernment that undergirded apartheid, some to be used rhetorically to propagate and justify apartheid, both in church and in society. Many historical studies have described different aspects of these developments and the diverse sources of authority that collaborated to build and uphold the ideological system of apartheid. These sources, for example, included influential philosophical traditions from abroad, like 19th-century romanticism and nationalism; scholarly and scientific theories of the time, ranging from biological to sociological to anthropological claims; individual and collective experiences of economic hardship, loss of land, threatened survival, and endangered futures; and popular rhetoric of the day, known from national and international political and ideological discourses.

In short, there are many and complex ways to analyse and explain the historical phenomenon of apartheid, and many of these explanations underline aspects that served as sources and influences of authority within the apartheid churches too, having impact on their processes of moral discernment at the time, whether deliberately and consciously or not. In general, therefore, it

would be fair to claim that these so-called non-theological factors had a major impact in the genesis, spread, and propaganda of the apartheid ideology in these churches.5

At the same time, intellectuals, church leaders and theologians also developed theological arguments to support and justify apartheid practices and ideas. Because most of these churches stood in the Reformed tradition, attempts to develop biblical arguments were central in these attempts. There developed a widespread understanding of biblical themes and pericopes (for example Genesis 11 and Acts 17) claiming to support and justify apartheid. The Bible was increasingly read (and proclaimed) with the help of – what critics called – a hermeneutics of race. This meant that lenses of interpretation were used through which the biblical message became a message of nationalist political life and of racially segregated churches. In order to sustain this interpretation, much exegetical work was done to reject interpretations of the Bible that were critical of apartheid.

More traditional theological motifs and notions were also used in these attempts to justify apartheid, for example the medieval slogan that grace does not destroy nature, but fulfils it or makes it perfect. This was understood to mean that the message of the New Testament (salvation in Christ; the unity of the church) could in principle never contradict the message of the Old Testament (diversity in creation, since the beginning; natural diversity, intended to flourish), but had to complement it. The church was therefore to be structured according to creation and nature, which meant the diversity – also of races, nations, cultures and languages. Apartheid itself was understood as an ethics of love in accordance with the Bible, an ethics of “granting others” everything the volk claimed for itself, equal and fair (it was said and often believed by its adherents), yet never together, but separate and apart, according to God’s revealed will and message. Well-known theologians could therefore defend apartheid as a system of social justice – in fact for them the most moral system possible.

under conditions of such radical racial, ethnic and cultural diversity – and believers in these churches widely accepted the authority of these biblical and theological teachings and these authoritative church leaders, theologians, and public intellectuals. For them, this was the only moral way available, in contrast to what they regarded as the un-biblical and false teachings of the many critics of apartheid, locally and abroad.6

In later decades, when apartheid as a system was well established, powerful, and all pervasive, and when its popularity in these churches and among the white population was widespread and overwhelming, it was no longer necessary to justify it so explicitly with biblical and theological arguments. By that time, it seemed to be common knowledge in these churches and was taken almost for granted. It then even became possible in theological circles to be critical of earlier attempts to justify apartheid biblically and theologically, and at the same time to be critical of all attempts to critique it biblically and theologically, by claiming that Bible and theology “does not say anything about politics.” This clearly undermined the authority of the biblical and theological claims of the churches involved in the struggle against apartheid. It implied that the only authority involved in moral discernment regarding political life should be common sense, everyday experience, scholarly knowledge, historical background, and political wisdom – and within the circles of white apartheid supporters, all these authorities spoke clearly with one voice. In this way, precisely at the time when those churches in the struggle were gaining biblical and theological voice, the impact of their arguments was undermined in apartheid circles by denying biblical and theological arguments any authority and relevance in the political and public sphere. Again, it remained a contestation concerning authority.7

What was clearly of major importance during all these phases was the authority that was placed in public leaders (including church leaders) and the (sometimes almost blind) trust that was put in them. Arguments often counted


7. On the use of scripture in politics, see Ferdinand Deist, Sê God So? (Kaapstad: Tafelberg, 1982); also Bernard C. Lategan, Hermeneutics and Social Transformation: A Selection from the Essays of Bernard Lategan (Stellenbosch: Sun Media, 2012) on hermeneutical issues.
less than the credibility and authority of the figures making the arguments. Biblical interpretation and theological arguments could hardly convince anyone or contribute to progress in the never-ending debates, also in church circles, since the authority of the interpretations and the arguments depended on the credibility of the speakers. It is important to keep in mind that this personal authority and trust had nothing to do with the offices and ministries of the institutional church. Probably because these developments took place primarily in Reformed circles. And given the lack of authority of the offices in Reformed ecclesiology and the importance of the judgment of all believers and of local congregations, the position that people occupied in the leadership of these churches (or in theological faculties) did not add authority to their positions and arguments. Rather, their reputation as loyal and therefore trustworthy and trusted members of the volk, its powerful cultural institutions, and its political party was the key to their personal authority.8

The same is the case with the authority of the different structures and assemblies of these Reformed churches, according to their Reformed church orders. Synodical meetings (including their leaders, their documents, their reports, and their decisions) did not automatically enjoy much authority merely based on the fact that they somehow represented the voice of the institutional church. Over decades, many occasions dramatically demonstrated that it was ultimately the membership of these churches, the ordinary believers in the local congregations, deeply formed and informed by the public opinion in general and by their own loyalty to the political and cultural establishment of the volk, that really decided for themselves what they would accept or reject in the documents and decisions coming from the synods. In an infamous incident in the early 1960s Prime Minister Verwoerd would appeal to the ordinary members of the churches, in his annual radio broadcast, to reject the leadership of these churches, after they joined the ecumenical movement in mild criticism of apartheid, at the Cottesloe Meeting. During widely publicized synodical debates about the unity of the church during the middle 1970s apartheid supporters succeeded in convincing the synod to allow local church councils to decide for themselves whether to apply the synod’s support for joined worship (between the races) or not, which in practice meant that local church councils could simply continue to refuse such practices. On several occasions, after major reports on race relations and issues concerning apartheid were accepted by general synods of the Dutch

Reformed Church – since the early 1970s, through the 1980s, and in fact until very recently – it remained very doubtful whether the majority of ministers were willing or able to communicate the decisions of these synods to their local congregations in such a way that these decisions were really received by the church at large. Again, forms of reception have always been a challenge for Reformed churches, but in the case of apartheid, this challenge definitely demonstrated how moral discernment by church bodies and assemblies never truly became the moral discernment at work in local congregations and with many believers, because of how authority functions in these communities and traditions.9

The fact that believers in these churches could resist and reject the moral discernment of the assemblies and leaders of their churches should not create the false impression that they were in fact acting according to their own personal consciences. That would be a major misunderstanding of the lack of individual judgment and personal freedom that was actually at work, in what was much rather collective processes of moral discernment, determined by belonging to the community of the volk – culturally, socially, politically and morally. In a crucial historical moment, these convictions were in fact explicitly articulated and adopted by the General Synod of the DRC. At a time when military service for white men was compulsory, in order to have troops to fight the so-called border wars, first in (today’s) Zimbabwe and later in (today’s) Namibia, the apartheid state faced a threat to its own security in the form of conscientious objectors, who refused to do this military service, based on grounds of conviction and their own consciences. It was obvious that, should the number of these conscientious objectors grow and their voices became more public, it would seriously undermine the credibility and moral authority of the apartheid regime. Some leading figures in the Dutch Reformed Church therefore drafted a study report, in order to justify the war and to support the ideology through the powerful chaplain corps, which the General Synod then adopted and published as its own position. The report developed theological arguments against almost all possible forms of conscientious objection, in which the just war theory was strongly defended, and in which this theory was applied to argue and conclude authoritatively that the border war was indeed such a just war. In this way, all forms of conscientious objection under these circumstances should be forbidden by the

state and all those who did appeal to their own consciences should be heavily punished, in the form of many years of compulsory public service.¹⁰

**Authority and Moral Discernment in the Churches’ Struggle?¹¹**

In those many churches where believers resisted apartheid and rejected the apartheid theology the role of authority was also varied and complex. Again, different sources of authority informed and inspired different churches, traditions, communities, and believers in diverse ways and through different phases. The fact that these forms of moral resistance and rejection were also at work in the ecumenical church, both inside South Africa and from outside, only added to the complexities of these roles of authority in these churches’ moral discernment. Of course, the sources of moral discernment, information, and inspiration during the struggle were not at all limited to churches – on the contrary. What has been called the spirituality of resistance was not only a political spirituality but also a spirituality of the streets – and almost impossible to capture in only a few sweeping comments. Still, a few comments could help to highlight some aspects of the role of authority in the churches’ own moral discernment during the struggle.¹²


¹¹. The story of resistance against racism and later apartheid is just as long and complex. During the 1950s, Blacks mobilized themselves increasingly against white domination. After the Sharpeville-Massacre (1960), organized Black political opposition was oppressed and many leaders imprisoned or banned. A period of intense polarization and conflict followed and an armed struggle began. World opinion against apartheid became much stronger, eventually leading to comprehensive boycotts and sanctions. The uprising in Soweto (1976) intensified the resistance and the oppression all over the country. During 1985 a state of Emergency was proclaimed and the apartheid state now became a security state. The country gradually became ungovernable and the economy threatened to collapse. Officially, apartheid ended with democratic elections in April 1994 and with the implementation of a new democratic constitution in 1997.

¹². For the churches in the struggle, see for example John W. De Gruchy and Steve De Gruchy, *The Church Struggle in South Africa*, 25th Anniversary Edition (Minneapolis: Augsburg Fortress, 2004); and John W. De Gruchy, *Liberating Reformed Theology* (Grand Rapids:
Since many different churches from different confessional backgrounds were involved, it would be instructive and in fact imperative to consider the different ways in which authority functioned in the moral discernment within these different churches. Some resisted apartheid sooner, others only relatively later. Some were more explicit and public, others less outspoken but perhaps equally involved and active. All did what they were doing according to their own self-understanding and ways of being church, and therefore the nature and role of sources of authority were always diverse and complex. In the Roman Catholic Church, for example, their normal structures of authority were involved – official bodies and representatives, studies and documents, statements and sermons, often with obvious institutional authority. In the churches from Methodist background, for example, the theological convictions as well as the leadership roles and the practical activities were characteristic and different. It would, for example, be instructive to consider the “Relevant Pentecostal Witness” that some individual leaders and figures from Pentecostal backgrounds published at the height of the struggle to make their own positions clear, but also to appeal to fellow Pentecostal believers in an attempt to persuade them also to get involved – and how they used typical Pentecostal persuasions to argue their plea with conviction and authority. Similarly, it would be instructive to study the declaration of “Concerned Evangelicals” – intended to fulfil the same role with regard to fellow Evangelicals, but therefore using very different arguments and appeals and very clearly other sources of authority. It would be particularly instructive to reflect more closely on how the popular African Independent Churches reacted to colonization in general and particularly during the apartheid history – as some doctoral research has already done, arguing that a different but very powerful and effective form of authority was at work in these churches.13

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Perhaps, however, it could be particularly instructive to consider the resistance in and from the Black Reformed churches more closely, since they were so deeply involved in the struggle because of the roots of apartheid in the history of their own denominational families. How and why did they come to such radically different moral discernment about apartheid with the same sources of authority at their disposal, the same ways of weighing and using these sources, and the same institutional structures of authority?  

The rejection of apartheid in these Black Reformed circles indeed claimed the same primary source of authority, namely the biblical message. They rejected apartheid because of “what the Bible says” – according to their understanding. For them, apartheid theology was heretical since it contradicted the gospel itself. It was therefore often said that “the Bible became a site of struggle” in apartheid South Africa. Biblical interpretation, theological arguments, books, sermons and public letters and statements were at the heart of this struggle in church and society – about the message of the Bible. Powerful preaching claiming that “the Word of God” was clearly against apartheid informed and inspired the spirituality of the struggle against apartheid.  

In these Black Reformed churches, furthermore, the Reformed tradition was claimed as source of authority, much more than in the circles of those who supported apartheid. Although a widespread public opinion held that apartheid was a product of Calvinism, the reality was that apartheid theology only (partly) appealed to some ideas of the Dutch politician and Calvinist theologian Abraham Kuyper, but that these notions were more philosophical and not directly theological or Reformed (and many would claim they were in any case not legitimate interpretations of Kuyper’s own convictions). The explicit appeals to the Reformed tradition during apartheid came from those who struggled against apartheid. Black Reformed theologians and ministers eagerly called on Calvin’s life and work, on the *Confessio Belgica* and on the *Heidelberg Catechism* – all confessional standards in the Dutch Reformed tradition – in support of their struggle. Books were published about “Black and Reformed” and “liberating Reformed theology” – not in order to ask whether it was possible to be Black and Reformed at the same time but, on the contrary, to argue that

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15. An influential spokesperson for the Biblical message against apartheid was the Reformed minister, theologian, ecumenical church leader, author and activist Allan Boesak, see for example Allan A Boesak, *Black and Reformed: Apartheid, Liberation and the Calvinist tradition* (Maryknoll: Orbis, 1984).
the Reformed tradition was in strong support of the rejection of the apartheid ideology and theology. This conviction was strengthened by the knowledge that the broader Reformed community worldwide agreed with their interpretation of scripture in the light of this tradition and with their resistance against apartheid. This experience of the shared faith and the outspoken support coming from the international Reformed community of faith became an important source of encouragement, inspiration, and indeed moral authority for these believers in their struggle.16

This strong awareness of being part of the Reformed community and tradition clearly came to expression when the (then) Dutch Reformed Mission Church (DRMC) adopted the *Confession of Belhar* as a Reformed confessional document born in response to apartheid in church and society. The World Alliance of Reformed Churches declared a state of confession regarding the situation in the South African member churches, meaning that it had become a moment of truth in which the gospel itself was at stake. Adopting this declaration of a *status confessionis* as their own, the synod of the DRMC were of the opinion that they owed it to their own members and to all others to explain why they regarded the gospel itself as at stake, by formulating a confessional document in the typically Reformed understanding of confessions.17

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Regarding the role of authority in churches’ moral discernment, this decision to confess was significant. The DRMC clearly understood themselves as being part of the Reformed confessional tradition as, for example, understood by Karl Barth and also embodied in the *Theological Declaration of Barmen*. According to this understanding, Reformed confessions have “relative authority.” On the one hand, they certainly claim to be authoritative, to represent more than merely theological opinions in an ongoing controversy. They claim to speak the implications of the gospel in a particular historical moment, often rejecting alternative understandings of the gospel. They claim to provide orientation for the faith and life of those who confess. On the other hand, they are aware that this authority is relative. They therefore confess “until further notice,” until they become convinced, by others or by their own growing insight, that they misunderstood the gospel for this moment in history. They therefore appeal – as was done in the spirit of an *Accompanying Letter* – to brothers and sisters to judge their confession in the light of the biblical message.18

This typically Reformed understanding of the authority of confessional documents came to the fore in the deliberate decision by the Synod not to refer to apartheid at all in the *Confession of Belhar*. The intention behind this decision was obviously that the occasion for the moment of confession was indeed the experience of apartheid, and without that experience *Belhar* would not have been, but that the claims to authority of *Belhar* were based on its understanding of the biblical gospel and not on the experiences of apartheid. The truth of such confessions cannot depend on the historical moment and on the experiences and convictions of those who confess. Other believers in other times and places had to recognize and acknowledge the authority of these claims as well, under circumstances that had nothing to do with apartheid. Only in this recognition and agreement of the sisters and the brothers and of later generations could the authority of such confessional documents really be assessed. At the time, it was often said that acts of Reformed confession should not simply be attempts to “speak with a louder voice,” in the sense of claiming divine authority for what were merely political viewpoints and opinions, in an attempt to put an end to public debates and to bring moral decision-making processes to an immediate

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conclusion. They should at least claim to be attempts to listen to the gospel itself and therefore open to scrutiny by others.19

Regarding the role of authority in moral discernment, it is of particular interest that Belhar was seemingly born in response to a political ideology and system and therefore in response to ethical challenges. To many, this seemed to be something new in the Reformed tradition and it led to many discussions about “ethical heresies” and about questions regarding the relationship between faith and life and between doctrine and ethics. Some argued that at the time of the Barmen Declaration, the debates were in fact already about the relationship between ecclesiology and ethics, between truth and form (structure, order, embodiment).20

In the broader struggle against apartheid in the churches, not everyone agreed with the appeal to the biblical message, the gospel and the word of God made by the Black Reformed churches, but also by others, like the (then) Anglican Archbishop Desmond Tutu. Particularly Tutu and Allan Boesak – the prominent Reformed theologian, ecumenical figure and political activist – were publicly criticized by other Black theologians for their claims concerning the Bible and the word of God. For many others, also active in the struggle, the real sources of authority in moral discernment were elsewhere to be found.21

Perhaps the single most important alternative source of authority acknowledged and appropriated in moral discernment within South African church circles at the time was the so-called context. At the time, the notion of context became widely popular and of key importance in church and theological circles in the country – from exegesis to pastoral work to systematic theology and of


20. On the relationship between truth and life, between ecclesiology and ethics in the tradition of the Theological Declaration of Barmen, see Wolfgang Huber, Folgen christlicher Freiheit (Neukirchen: Neukirchener Verlag, 1985).

course in “doing theology” in the everyday activities of churches and believers in political and public life. The widely known and very influential Kairos Document offered perhaps the best example of such contextual theology, being also produced in the circles of and published by the then important Institute for Contextual Theology. Kairos theology – which later served as inspiration in many other contexts where many local kairos documents were produced, all exemplifying the same form of logic and rhetoric – took experience for granted as point of departure. It privileged experiences of the contexts as the prime source of authority in moral discernment. In practice the particular experiences within the context were therefore often taken as self-evident, as the truly normative and authoritative view on reality, on what was happening and what should be done. Kairos theology could, for example, speak of “God in South Africa,” almost identifying the voice and will of God with particular movements and organizations involved in the struggle. In understanding the churches’ processes of moral discernment, these developments and convictions were indeed very helpful and instructive. In a way, they articulated explicitly what many others – and perhaps to an extent everyone – are also doing yet without acknowledging it.\(^{22}\)

Precisely this fact – that others are also doing their contextual theologies and their own discernment informed by their own experiences, perspectives and interests, without necessarily being aware of this process – led to interesting further developments. From the perspective of hermeneutics, many pointed out that all theology is contextual and informed by experience. This, of course, raised critical and normative questions whether all theologies and all forms of moral discernment and political persuasion are therefore also legitimate and justified, simply because they are contextual and experiential. This relativized the authority claims of the contextual theologians struggling against apartheid and could even be used to argue that apartheid theology – and the ways the Old Testament was, for example, read to serve the interests of some and to oppress others – was also just another legitimate contextual and experiential form of moral argument. For this reason, a whole range of other expressions became popular in South African circles, to describe the privileged position of some form of experience and to offer critical and normative ways to evaluate the moral discernment at work – Black theology, liberation theology, peoples’ theology, prophetic theology. All such terms, sometimes replacing one another

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22. For documents published by the Institute for Contextual Theology, see The Kairos Document: Challenge to the Church (Bramfontein, 1986); The Road to Damascus: Kairos and Conversion (Braamfontein: 1989); Violence: The New Kairos: Challenge to the Churches (Braamfontein: Institute for Contextual Theology, 1990); see also Albert Nolan, God in South Africa (Cape Town: David Philip, 1988).
in popularity, sometimes functioning alongside one another according to preference and emphasis, served the purpose of privileging particular experiences in moral discernment while denying others the same authority. 23

Of particular significance in the struggle against apartheid was the obvious authority of leadership figures such as Desmond Tutu, Allan Boesak, Manas Buthelezi, and Beyers Naudé. Their influence was of major importance—informing, guiding, inspiring, motivating. Again, this influence was not the result of their offices in their respective denominations. At times, some of them were even seen as controversial in their own denominations. Their authority was much more a moral authority and therefore extended far beyond the membership of their different churches. They were public leaders with public voices and public impact. For that reason, political leaders like Nelson Mandela and others should also be included in this perspective. For the moral discernment during the struggle, in public life and in churches, these figures exercised a personal authority with far-reaching effect. In fact, distinctions between public life and church life during the struggle were not that clear and important. Public reasoning impacted on the churches’ moral discernment and, vice versa, the churches’ moral discernment mattered in public life. Declarations by churches, public letters signed by ministers, studies and statements by churches against apartheid were all major news, since they obviously threatened the very roots of the apartheid ideology and its own moral justification. 24


In the struggle, the appeal to conscience was of key significance. Precisely since apartheid depended on notions of “law and order” and therefore on obedience to the state and authority in general, the struggle depended on the willingness and the courage to defy law and order, the state, and often authority in general. Appeals to and theological debates about Romans 13 were common, with major impact on the way moral discernment was understood. In Reformed circles, appeals were equally common to Revelation 13 (undermining the authority of the state) and Acts 5 (claiming that obedience to God is more important than obedience to any human authority).²⁵

In this respect, the role of the law and of justice was also of moral importance. While the apartheid state depended on loyalty and obedience (as for example critiqued in the first part of the Kairos Document), those who were critical of apartheid often spoke of “deeper justice” or “higher justice,” suggesting that the laws of the land should themselves be subjected to critical scrutiny in terms of another authority, namely notions of justice. Laws could be unlawful, the justice system unjust, what is legal could in fact be illegitimate. This conviction was, for example, powerfully expressed in the poem “What about de lô?” by the poet Adam Small. Political literature, protest theatre, and poetry and resistance art at the time in general played an important role in processes of moral reasoning and discernment. They often provided alternative visions and inspiring motivation for the struggle that proved vital in moving people and in changing their hearts and minds.²⁶

Looking back, it may seem obvious that such a deeper justice or higher justice should have been found in notions of human rights, but in the struggle churches that was not really the case. The rhetoric of human rights was not that widespread or taken for granted in most churches – not even in the worldwide confessional bodies of the ecumenical movement at the time, where theological declarations of human rights were only gradually developing since the 1970s. When the South African Council of Churches appointed their first Human Rights Commission in the early 1980s and prepared a so-called theological basis for human rights, it soon became obvious that the churches and

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the NGOs already deeply involved in dealing with human rights violations and supporting victims of such violations were doing that without having any need for such a theological declaration. The commitment to human rights and the defence of those who suffered violations were clearly not dependent on having theological studies and declarations about human rights; the moral discernment in this regard had already been taking place without them.27

A source of authority that was, however, of major importance, was hearing and listening to the voices of these victims. It would be hard to over-estimate the impact of this in the struggle of the churches. The life and work of Beyers Naude and the Christian Institute can serve as illustration. It was to a large extent his willingness to listen to the voices of the victims and to welcome these voices in discussions and studies that helped many to see things from different perspectives and to change their own moral positions.28

Authority and Moral Discernment in Social Transformation?

Looking back, it is not easy to understand and describe the nature of and the real reasons behind the changes that took place in apartheid South Africa and therefore also in the churches and circles supporting apartheid. Scholars differ in their analyses. These were obviously complex processes and many interrelated factors were simultaneously at work. It is, for example, not clear to what extent the changes of heart of apartheid supporters were really changes of heart and therefore the result of changing moral discernment and, on the other hand, to what extent they were rather more the result of unavoidable economic and political realities and pressures. Even the political and public rhetoric with which the negotiations and the radical social transformations were presented to former apartheid supporters by political leaders was not always so clearly moral in nature. Often it was more pragmatic and practical, in terms of political survival and economic necessity. Much the same could be argued was the case within

27. The Dutch Reformed Mission Church delegated me as a member of this first Commission for Human Rights of the South African Council of Churches, serving for example together with the Lutheran Bishop Manas Buthelezi and several well-known activists. The Commission asked me to draft a theological basis for human rights. Although the document was discussed during a public conference at the University of the Western Cape organized by students and also in meetings of the SACC itself, it was never published, and it was clear the activists and the non-governmental organizations and movements they represented did not really need such a theological basis to justify their already strong commitments and public actions.

28. From the flood of literature available on Beyers Naudé, see e.g. Peter Walshe, Church versus State in South Africa: The Case of the Christian Institute (London: Hurst, 1983); also Hansen, The Legacy of Beyers Naudé; Hansen and Vosloo, Oom Bey for the Future.
the former apartheid churches. Although some church leaders and theologians whole-heartedly supported the demise of apartheid and clearly rejoiced in the new possibilities of moral discernment, many church members were arguably not equally convinced that apartheid was sinful and immoral, only that it was not practical and could not work. For sure, church leaders and theologians publicly confessed the sin of apartheid, and their confessions were officially endorsed by some of their churches; but exactly how deep and convinced these new moral perspectives were rooted remains contested. It may therefore be fair to ask, as several scholars have done, whether the changes in the churches’ moral judgments were the result of the political and social transformation, or whether changes in their moral judgments really contributed to the political and social transformation.  

To begin with, did the Bible function as source of authority in those Reformed churches that earlier supported apartheid in changing their moral discernment? Probably to some extent, and in the case of some of their leaders and theologians most certainly, also in the sense that the convictions of those who had before been a minority within their own ranks now became more widely accepted and the dominant views in these churches. But it would be difficult to argue that new insight in the biblical message was the primary reason for their support for the social transformations. There are, for example, no recent studies or new documents originating in these churches that one could point to as representing such new insights into the Biblical message.  

A factor which clearly did play an important role was the impact of the social and political changes themselves on these churches. The changed climate – the culture of democracy; the peaceful transformation; the international acceptance; the economic stability and growth; the new constitution and the whole constitutional system as a result; the changes in public opinion; the free press and public debates about the common good; the emphasis on human dignity and the protection of individual human rights, whatever one may wish to underline as characteristic of the first decades after the demise of apartheid – clearly left its mark on these churches as well. Perhaps these changes contributed more than anything else to new moral convictions in these formerly apartheid


30. Since the social and political transformation in South Africa, the Dutch Reformed Church has for example not produced any comprehensive study to replace the earlier *Human Relations and Church and Society*, and it has not accepted the *Belbar Confession* either.
churches. To the extent that such an observation is accurate and fair, this would mean that public opinion is (again) one of the most influential sources of authority in the moral discernment of these churches, with the only difference that it is now a new and different public opinion. Public opinion – also in the form of a new political correctness – most certainly serves as source of moral authority, whether by informing and perhaps even transforming, or merely in the sense of sensitizing and inhibiting. In itself, of course, there is no objection against the role of public opinion as source of authority in churches. On the contrary, it could be a major part of the honour and shame code (which moral philosophers like Kwame Appiah have described as crucial in several major moral transformations in public life in recent centuries). The more important question for churches would be about the content of such public opinions.31

In the South African case, there is little doubt that notions of law and justice, and in particular the new South African Constitution with its value of human dignity (including equality) and its bill of human rights, have become a major source of authority, also in these formerly apartheid churches. The constitution has been called “their new Bible” by leading Dutch Reformed theologians, and in practice it indeed often fulfils this authoritative role for these churches. In South Africa, in churches in general, and indeed also in Reformed churches, law most certainly played a role of “cultivating conscience” (in the words of the legal scholar Lynn Stout).32

In general, individual conscience has become a much more influential factor in South Africa in general and in Reformed churches as well. The strong impact of collective thought and action, the authority of group thinking and behaviour according to belonging and loyalty, has been lost – or at least weakened – for many. For many South Africans, including church members, the overwhelming effect of the overnight arrival of democratic culture and secular life has been an experience of personal liberation and freedom – of conscience, of expression, of choice, of lifestyle. A changed moral climate in the country and in many churches reflects this new-found individual freedom and longing for authenticity.33

33. See Boesak on “the tenderness of conscience” in Boesak, The Tenderness of Conscience, also more generally on ethics and moral-discernment and moral decision-making, Charles Villa-Vicencio, Civil Disobedience and Beyond: Law, Resistance and Religion in South Africa (Cape Town: David Philip, 1990); Charles Villa-Vicencio and John W. De Gruchy, eds., Doing Ethics in Context: South African Perspectives (Cape Town: David Philip, 1994); Louise
Again, this new-found personal freedom and the increased authority of individual conscience is clear in the lack of influence of synodical meetings and structures in Reformed circles. It is nothing new for these communities and traditions, but recent years have shown several clear demonstrations of this reality – that the synods may take important decisions about ethical questions after long and intense studies, only for the congregations and believers not to receive and accept these decisions and not to follow these meetings and the guidance of their elected leadership.34

As an integral part of the new political climate of democracy and of the constitutional emphasis on human dignity, one further factor also became of crucial importance for these churches and most certainly plays a key role in their new forms of moral discernment. This factor is the experience of others: of meeting others, sharing with others, listening to others, respecting others. In a sense, this represents the exact opposite of the deliberate apart-heid or separate-ness of former times. Where apartheid was very successful in keeping white and Black apart from one another, as “brothers beyond hearing distance” (as the Reformed churches were famously described before by a well-known social commentator), democracy brought them within hearing distance from one another, with major implications for the apartheid churches. During apartheid times, when they decided to revise their former statements on church and social life, the synod deliberately decided not to involve any member from the Black Reformed churches in the study process, since they were not needed, because the white DRC was convinced that it could read and interpret the biblical message on its own.

That attitude has radically changed. Today, although the racially divided churches have not yet been reunited, the former apartheid churches hardly do anything on their own, and they attempt to involve Black sisters and brothers in their activities, studies, and decisions as much as possible. They describe this as their new culture of listening and often say that they are in a season of listening. This seems to be true also of other moral issues and processes of discernment: for example, regarding sexuality and gender studies. There seems to be a strong awareness that everybody should be present and involved and given the opportunities to speak for themselves. Perhaps one could claim that listening to the voice of others, and even to the biblical message in the presence and with the

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34. Continuous controversies in several churches on issues concerning homosexuality, including several and long-lasting court cases, painfully demonstrate these processes and struggles.

help of others, has become the most important source of authority in the former apartheid churches as a result of the political transformation.  

Over the decades, South African ethicists have been deeply aware of their differences regarding moral convictions and moral discernment. They differed concerning moral visions, moral values, moral virtues, moral responsibilities, moral decision-making. There were deep and divisive moral differences between churches, and there were deep and divisive moral differences even within churches. Many South African ethicists were therefore self-reflective about these challenges and questions. Some were explicitly asking, “What have we been doing with our moral discourses?” Some found the typology developed by James Gustafson (when he analyzed the earlier studies on social ethics from the ecumenical movement and distinguished between prophetic, narrative, philosophical, and policy discourses) very helpful. For them, it was obvious that the sources of authority and the rhetoric of authority between these different kinds of moral discourse differed fundamentally. They are all moral discourses and they all fulfil important roles in the church, but their respective uses of authority differed deeply.

In South African churches’ moral discourses, the same was obviously the case – from prophetic to narrative to analytical to policy, rhetoric appealed in very different ways to hearers. Some found the analysis of moral argumentation (for example by Stephen Toulmin) or the analysis of aspects involved in theological decision-making (for example by Hans-Eduard Tödt) helpful in their attempts to understand some of the reasons for the deep differences within moral discernment in South African churches. Several doctoral studies made use of these analyses. It was informative and sometimes even liberating to see exactly where the points of agreement and disagreement were located within the diverse assumptions and convictions at work in complex moral judgments. Some found the study documents of other churches about ethical studies and moral discernment (for example, by the Evangelical Church in Germany or Faith and Order for the Ecumenical Movement) helpful, again because they distinguished between different factors involved and different reasons for the disagreements.

One could perhaps even argue that the present interest in so-called public theology within South African circles still has something to do with this self-reflective awareness of South African theologians and ethicists that churches should be careful to speak into public issues and public life as if they have some source of authority available that gives them the right to speak with divine authority while others have to listen. In this sense, the memory of the times of apartheid and the struggle still informs public theological discourses and churches’ moral discernment today in South Africa. The awareness of life under the radically changed circumstances of a secular and pluralist democracy has become a very important source of moral authority – for many perhaps the most important source. Addressing the leadership of the URCSA (Uniting Reformed Church in Southern Africa) a leading political philosopher (André du Toit) has argued that even the drafting of the Confession of Belhar and the establishment of the Truth and Reconciliation Commission would be unthinkable under the social and political conditions in church and public life in South Africa today, because the plausibility structures of moral authority making these actions possibly no longer pertain today.37

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8. Sources of Authority

The Latin American and Brazilian Lutheran Context

Valério Guilherme Schaper

In this contribution, I initially ask how the recent Latin American theology of liberation contributed to our regional comprehension of the sources of authority. Secondly, I seek to analyze how, based on a specific situation, the Brazilian Lutheran tradition manifests itself in its comprehension of the sources of authority based on the practice. I end this reflection with brief conclusions.

Power, Authority and Doctrine: The Colonial Experience

At the outset, I suggest that the theological experience in Latin America can be seen to refer back to the same experience narrated by Limatula Longkumer in her article, “Reflections from Indigenous People’s Perspective on the Sources of Authority in the Church.” Among us, the idea of authority is marked by a history of colonization. The hierarchical ecclesial authority has long been associated with the structures of colonial power. The colonial endeavour was based

1. I take into account here, in particular, the Evangelical Church of Lutheran Confession in Brazil.
on a mixture of economic, political, and religious logic. The caravels brought the cross, the sword, and the coin.

From the point of view of religion, the initial catechesis (of Indigenous, Black and poor people) was the transmission of the tradition of the church. Without writing and without chances for literacy training, Latin American people’s access to scriptures was delayed for a very long time.\(^4\) The broad dissemination of the Bible is associated with the arrival of Protestantism through the Missionary Societies in the 19th century. One of the objectives of these societies was precisely to distribute Bibles.\(^5\)

Once again, the experience with the authority of scripture cannot be separated from the presence of the Missionary Societies of the countries from the North. They brought Protestantism and their focus on the scripture – but they brought more than this. If the notion of authority had become disconnected from a given ecclesial structure, it now became associated with the white supremacy of the peoples from the North – their way of life and their ideas of political freedom and socio-economic development.

The comprehension of the sources of authority in Latin American Christianity is undeniably deeply marked by the historical weight of the colonial experience (from the 16th century and from the 19th century). The consequences of this deserve a more detailed study, but that lies outside the focus of this reflection.\(^6\)

**Doctrine and Context: The Theme of Authority**

_in Latin American Theology_

Being unable to accompany each colonial offshoot of the legacy of the Roman Catholic catechesis and the Protestant mission of the biblical societies, we need to establish a historical cut-off. Jumping to the middle of the 20th century, I would like to consider the way Latin American Liberation Theology analyzed  


\(^6\) Data from the Instituto de Pesquisa Econômica Aplicada (IPEA) (Applied Economics Research Institute) indicate that the greatest number of civil society organizations, headquartered outside the country, is found in northern Brazil. One also finds the greater number of Indigenous people in the north in Brazil. These civil society organizations are missionary societies that continue with their focus on translating the Bible into Indigenous languages, distributing them and evangelizing these peoples. The data of the IPEA is from 2014 https://mapaosc.ipea.gov.br/#i03
this legacy. Obviously, we are not going to find a direct treatment of the issues of the sources of authority within the Latin American theologians. However, in the whole of this theology, a notion of authority and its sources was always certainly present, being unavoidable. What interests me here is to analyze how this approach to the theme of authority and its sources dialogued with the Christian legacy of Roman Catholicism and with missionary Protestantism, limiting my reflection to some Roman Catholic and Protestant authors.

Ecclesiogenesis in Latin America: The genesis of a new comprehension of authority?

Roman Catholic theologian Leonardo Boff, in *Igreja: carisma e poder* (Church: charisma and power) – published in 1981 and certainly his most polemic book – analyzed sociological character with respect to the form of exercising authority in the church. Through his analyses, Boff indicated that the power structure that exists in the church was exercised without the free and spontaneous recognition of this authority. Part of this distancing occurred because of the role of the separation between “*ecclesia docens*” and “*ecclesia discens*.” Boff formulated six theses for a “healthy” correlation between both, favouring a constructive comprehension of power and of its relation with the sources of authority.8

However, Boff believed it was necessary to go deeper. He investigated the chances of a conversion of the institution and power, signalling the emergence of a new way of being church. In this, the separation between “*ecclesia docens*” and “*discens*” becomes a “dialectic interaction,” where the church can be thought of based on the sacrament of the Holy Spirit and structured according to the principle of charisma.

Five years after *Igreja: carisma e poder*, Boff celebrated the emergence of a church that is born “from the faith of the people.”9 The announcement of this birth was attested in his new book: *E a igreja se fez povo* (And the church became people) (1986). More than an instrument of evangelization, Boff affirmed that this emerging church was the “way of being Church” itself in the midst of the people.

Recovering the concept of “church-communion” that would have existed up to the first millennium, Boff understands this new way of being church

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8. Ibid., 213–19.
as emphasizing the primary, affective relations, establishing a firm “base” (a pedagogical and anthropological meaning). This base is the space for reading the scriptures. And as members of the hierarchy join this base, welcoming the tremendous symmetry of relations that predominate there, they come to represent the vertical dimension of the apostolicity tied to the tradition and the horizontal dimension of catholicity. They thus connect this way of being church to the church of Jesus Christ (to the other churches and to Rome).

According to Boff, the theologians inserted in this base carry out a “retro and ante oculata” theology. In other words, this theology maintains a looking back to the sources of the faith (the Bible and the magisterial tradition) and a looking forward (the experiential issues of the present). One look illuminates the other and broadens it. Both are at the service of the faith of the ecclesial base.10

It is beyond the scope of this text to discuss what this represents for the Roman Catholic Church. The question is how this contributes to the debate about the sources of authority in the Latin American context. In this sense, it becomes evident that in this emerging church the sources of authority continued as they were but experienced a deep horizontalization.

This new way of being church is born of the word, which is continuously confronted with life. Just as the word is shared, so also apostolicity is no longer experienced as a characteristic of some members of the church (hierarchy) but is participative in the bosom of this new way of being church.

However, an important conclusion of Boff’s analysis is that an articulation of the sources of authority exists within the power system of the ecclesial structure. This articulation tends to legitimate the power system in place. The decisive issue is not the types of sources of authority, but how these sources are associated with the power system in the church and in society. Therefore, Boff insists on the necessary conversion of the ecclesial structure so that the regime of authority – and of truth – of the normative sources can function according to a principle of equity, where the power is shared in a democratic way.

If it were possible to roughly synthesize this learning from Latin American theology, it could be said thus: The decisive issue is not the sources of authority but power. The first observation to make in light of this is that the exercise of power and sources of authority always present themselves in a complex

10. “The community has the right to receive the faith of the Apostles, therefore orthodox, but also has the right to receive it within a current codification, therefore expressed, within the registers proper of the culture which the community masters” (Boff, E a igreja se fez povo, 107). Something similar is affirmed in Leonardo Boff, Igreja carisma e poder: Ensaios de eclesiologia militante (Petrópolis: Vozes, 1981), 68–69. It appears in an even clearer way in ibid., 80.
relationship of reciprocal and tense determinations with the other forms of power in surrounding society.

The sources of authority in Latin American Protestantism and the pure doctrine
We must ask how Protestantism presented itself in this context, and how it thematized the issue of the sources of authority and of power. As it is impossible to follow all the paths of Latin American Protestantism in this analysis, I will restrict myself to a few authors.

The criticism of Juan Luis Segundo
In his classic book *Libertação da teologia* (Liberation of theology) (1978), Roman Catholic theologian Juan Luis Segundo, in discussing the relations between ideology, church, and eschatology, closely interrogated Latin American Protestantism. His criticism is interesting. Segundo’s analysis points out how, confronted with the ethical urgency of the Latin American context, the sources of authority of Protestant theology mobilized to justify their action – or lack thereof – in confronting the ethical cry for a just society. The issue of the sources of authority is thus not Segundo’s focus of attention in his criticism.

Segundo’s criticism can be summarized in his denouncement of the disappearance of the notion of “merit” in Protestant theology. Merit represented a last tie between the level of human action and the eternal level of the kingdom of God. The *sola fide* would have cut this last tie, transferring the merit exclusively to the work of God in Christ.11 In Lutheran language, these two levels are elaborated in the known doctrine of the two kingdoms. Many studies have been written about the nefarious ethical consequences of this doctrine.12

As relates to this doctrine, Segundo does not miss pointing out how commitment to the political power of the emerging Protestantism, particularly Lutheranism, also compromised the activation of the sources of authority. This is not the place to note the recent theological advances that seek to overcome these theological deficits. More important is to understand the ramifications of this for an understanding of the sources of authority in Latin American Protestantism. In this sense, it is important to note that Segundo, when pointing to the emphasis on “faith” to the detriment of “merit,” is indirectly indicating the scant relevance given to two important sources of authority for ethical

12. The study coordinated by Duchrow came to similar conclusions one year earlier: Ulrich Duchrow (Hrsg.), *Zwei Reiche und Regimenter: Ideologie oder evangelische Orientierung* (Gütersloh: Gütersloher Verlagshaus Gerd Mohn, 1977).
discernment in the Latin American context: experience and context. In one sense, the privatized experience of faith hovers over the (historical) contexts, maintaining an eschatological reserve that continually recedes faced with the need to carry out direct connections between discernment and the repertoire of existing options in a given context.  

Curiously, in this criticism and analyses, Segunda does not mention the theme *sola scriptura*. Two possible explanations could be put forward to explain this absence. The first would be that it is due to Segundo’s “biased” analysis. This would be truly strange, considering the great importance he places on scripture in the Latin American context, read in the light of very specific experiences of exclusion and vulnerability. The second would be to point to the lack of mention of scripture by the theologians that Segundo analyzed. In other words, in Latin American Protestant theologians’ works, scripture, as a source of authority, is subordinate to the interpretative criteria inherited from the confessional tradition; in this way, the interpretative tradition authorizes scripture. Either way, these hypotheses are provisional and would require a more rigorous study.

*Considerations based on some Protestant theologians*

Juan Luis Segundo’s criticism was echoed in some spheres of Protestantism. Special reception of this criticism and efforts to respond to it can be found in the excellent book *Luta pela evangelização* (Struggle for evangelization), a work of various Latin American Methodist theologians.

Argentinean Methodist theologian José Míguez Bonino, in the article “Methodism: A Latin American Rereading,” confronts the question Segundo poses, recognizing its pertinence. The pertinence is related not only to the appropriateness of the criticism, but also, and mainly, to the need to take into account a type of ethical discernment that allows an effective historical intervention of the Christian, of the church.

In this sense, Míguez Bonino, in considering the theme of the relationship between justification and sanctification in the theology of Wesley, indicates a possible theological solution in embracing a “synergism pact.” He recovers a
broader comprehension of synergism from the Christian theological tradition, referring also to the oriental tradition, to deal with a context that demands an ethical discernment that can generate an effective liberating action. The broader theological tradition allows us to correct the immediate confessional tradition, since it is no longer able to respond to the context of liberating urgency. In this way, Míguez Bonino re-reads sanctification, attributing to it, through the notion of synergism pact, the virtue of a social efficacy.

Míguez Bonino refers to the place of scripture when he asks about how one re-reads the Wesleyan ecclesiology in a Latin American context. He starts with the experience of the emerging church in Latin America, as pointed out by Boff, to affirm that the church will charge legitimate authority as it responds to the needs perceived by the people. This experience permits Methodism to re-encounter and go beyond its ecclesiological roots: the church is an “active ecclesial subject,” in which emerges, “through the inspiration of the Word . . . visions and through which the tasks are inspired and promoted which impel the human city in the direction of the eschatological reality which interpolates and challenges.” Thus, the two aspects of the Wesleyan theological concept are maintained: (1) the renewal of the church as the result of the confrontation with the objective word of judgment and (2) a process of internal revival that presupposes a permanent personal growth within a continuous communion with other people.

When confronted with the first issue, Míguez Bonino invests against the confessional tradition in the name of the tradition of the church; and with the second issue, the ecclesiological one, he invests, based on context, against the confessional legacy. In both cases, however, Míguez Bonino understands that the authoritative strength of the confessional tradition regarding the themes of sanctification and evangelization is not only confirmed but considerably broadened. This is because it now responds to an entirely new context and presents a perspective of confronting the urgency for liberation.

15. “The historical project with which Methodism interlaced its spirituality in its origins, which is quite similar to that of our own Latin American Evangelical origins, no longer represents, for us, a liberating possibility.” Ibid., 157.
16. Ibid., 168.
17. Ibid., 164. This idea is elaborated in an even clearer way by Ely Éser Barreto César in the same book: “The principle of the Scriptures, as the only rule of faith and practice can be deepened through the actualization itself of the concept of sanctification. In fact, the doctrine of sanctification leads Wesley to positively evaluate facts of concrete individual life. That is why experience is raised as one of the criteria of religious knowledge, alongside Scripture . . . Because, today, we understand sanctification as a construction of our humanity and of our society. For us it is about the operation of salvation in our history.” Ely Éser Barreto César, “Condições para uma leitura bíblica protestante, de inspiração metodista, a partir dos pobres da América Latina,” in Bonino, “Metodismo,” 174, 175.
Rubem Alves, in 1982, published two books with closely related themes: *Dogmatismo e tolerância* (Dogmatism and tolerance) and *Protestantismo e repressão* (Protestantism and repression). Both works seek to characterize the constitution of a specific Protestantism in the Brazilian context: that is, Protestantism of pure doctrine (PPD). The first observation Alves presents is that PPD substitutes the individual conscience – a characteristic of Protestant doctrine – for an “ethical collective conscience.”

In the specific case of poverty, Alves concludes that poverty is not a fundamental problem for PPD. The subjective disposition that determines the experience of poverty is more decisive than the real poverty. In this sense, the possibility of transforming the social situation directly depends on transforming the internal disposition of human beings through conversion.

However, Alves points out that for PPD, the “Protestant spirit” is not constituted by conversion. What determines this “Protestant spirit” is an “obsession for the truth.” Salvation, according to PPD, comes from knowledge of the truth. This knowledge is monopolized by PPD, which is the holder of absolute truth.

Curiously, Protestantism declares that “free examination” is essential for the “Protestant spirit.” This “free examination” points to a reading of the scriptures mediated by the conscience of a person free from the coercion of the collective conscience (morality) and of orthodoxy. The argument presented above indicates that the discourse of PPD cannot be criticized by any experience that is external to it. Knowledge of the truth of PPD’s discourse must always be reaffirmed by the individual, thus confirming the interpretative code, the ecclesiastical discipline, and the authority of the hierarchy. In sum, this is an orthodoxy that superimposes itself upon scripture and upon experience. It is a dogmatism that covers up the truth.

Alves ends his reflection by affirming that one cannot reduce the phenomenon of PPD to an abstract hegemony merely of ideas. The hegemony of PPD is in its unitary mobilization of power and its concrete structures (politics, economy).

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19. “It catches our attention, in the first place, the affirmation that behavior is ruled by transcendent moral laws fixed by a supreme authority.” Ibid., 205.
21. Ibid., 273–84.
Context and Discernment: Sources of Authority in Contemporary Lutheranism

Brazilian Lutheranism and church–state relations

Regarding the articulation of the theme of authority of Latin American Lutheranism, I wish to focus on two moments of the Lutheran experience in Brazil, specifically, in the Igreja Evangélica de Confissão Lutera no Brasil (Evangelical Church of Lutheran Confession in Brazil).

Without an expressed answer to the criticism of Juan Luis Segundo, Brazilian Lutheranism addressed it in practice in the 1970s. The Assembly of the Lutheran World Federation (LWF) was to take place in Brazil in 1970. Brazil had been under a military regime since 1964. The readings of what had been happening in the country since the beginning of this regime were divergent. Although the Lutheran church was seeking to abandon its “ethno-Lutheranism,” the critical readings of the Brazilian reality, when they weren’t naive or simply affirmative, were limited.

One point of disagreement in these readings was the theme proposed for the assembly, “Sent into the world.” For some, “world” was merely a geographical reference. For others, however, “world” indicated a set of social, political, and economic coordinates. In the midst of interpretative disputes, reports about arbitrary actions, imprisonments, torture, and deaths multiplied in Europe. The general secretary of the LWF received many dossiers of persons, groups, and churches. In February 1970, the Commission of the Churches on International Affairs presented a report on the Brazilian situation to the executive committee of the World Council of Churches (WCC).

The different readings of the political context within the Brazilian Lutheran church and in the Lutheran churches outside the country made the situation even more complex. The issue became more serious when foreign churches and the LWF insisted that official authorities not be present (governmental representatives). The local Lutheran church thought it would be disrespectful not to invite the general occupying the chair of president of the republic. The difference in points of view on this theme reached a peak with the cancellation of the LWF assembly in Brazil and its transfer to Evian (France).

This was the first great crisis of the Brazilian Lutheran Church in its journey to meet up with the reality of the country, and it was decisive for its theological development. The pacifying reading of the reality and the willingness of the clergy and a good part of the middle class of the Brazilian Lutheran

congregations to collaborate with the regime were a deep blow. The church needed to face the denouncements of torture that were emerging all over. The debates became harsher at the LWF assembly in Evian when they turned to human rights, with special attention on the Brazilian context.

While debates advanced in the LWF and worldwide Lutheranism reaffirmed its commitment to human rights, a delegation from the Lutheran Church in Brazil carried out an investigation about the veracity of the denouncements of torture and deaths. The resulting data of the survey was quite shocking. A slow process of self-criticism followed this, which would lead the Brazilian Lutheran church to a progressive change in theology. The seventh church council, held in September of 1970, became the epicentre of a clear sign of this change. For the first time in its history, the young Brazilian Lutheran church stepped up to a subject of national politics. A theological commission was charged with creating guidelines for the relationship between church and state.

Thus was born the “Curitiba Manifesto.”23 The document outlines a theology of church-state relations, and does not leave out concrete questionings for the state about the various data that had emerged about flagrant violations of human rights. However, while it was strong, the document still temporized: it did not question structural foundations (for example the economic model in place in the country, the political party model, the understanding of the constitutional order) and, whenever possible, it softened the tone of the criticism and questioning. This would explain the solid support the document received at the assembly of the council. The document was delivered personally to the president of the republic, aiming to create a space for interlocution with the state.

And so, from a position that could be seen as an expression of the doctrine of the two kingdoms, the Brazilian Lutheran church opened itself, after a crisis, to a scenario in which the context — the cry of people whose human rights are violated — and listening to the Word began to take form. It is fitting to mention the emergence of a successful series of homiletic aids (which, in 2016, have seen 40 years of uninterrupted publication) called “Proclamar Libertação” (Proclaim liberation). Obviously the intention was to listen to the Word in a very specific context.

Projects of community action such as the Integrated Plan of Inter-parish Action focused, among other things, on awakening and forming the “general priesthood,” for example, including Bible reading circles as one of its resources. Another document that came to light during this period was “Permanent Discipleship – Permanent Catechumenate,” whose focus was to “intensify and dynamize” diakonia.

Brazilian Lutheranism and ethical discernment: The issue of abortion

In 2009 the Brazilian nation was shaken by the news of a nine-year-old girl, sexually abused from the age of six by her stepfather, who was pregnant with twins. Continuing the pregnancy would have brought enormous risks to the health and life of this child. The possibility of interrupting this pregnancy through abortion divided the nation. The Evangelical Church of the Lutheran Confession in Brazil put out a document on this theme in 2009 entitled “Ethical Discernment: An Evangelical Perspective of Lutheran Confession.” The document is important, since, aside from making the position of the Brazilian Lutheran church clear, it contributes to understanding the sources of authority.

With respect to the possibility of ethical discernment, the document begins by affirming that the conditions for a decision about the “good” to be accomplished based on “common sense” were not present, since society was in a situation of great upheaval. The document also reminds the public that in a situation of rape and clear risk to the pregnant girl, the Brazilian legislation permits the interruption of the pregnancy. Both conditions were given. There was yet one more aggravating factor: the case concerned a nine-year-old girl. Brazilian society found itself facing a borderline situation in which preserving life and saving human dignity challenged the idea of the “good” to be done.

Based on the presupposition that the Lutheran tradition – faithful to its Protestant legacy – does not recognize a magisterial authority that has the power to indicate a clear, unequivocal, and infallible solution, the document remits the issue to the need to continually seek discernment in the light of scripture in various situations placed before the believers.

The document adds to this first indication an affirmation central to Lutheran theological tradition: that although justified by faith, the human being simultaneously exists within the sphere of the influence of sin. Life and human relations never take place in “totally pure” contexts. Therefore, the “ambiguity of human life” and “historical reality” remain. One cannot escape this constitutive tension of human existence and history.

In this case, there is no “perfect” option – not even a “good” option. Theologically, there is not even an option without sin. The alternative to be taken must be the one that through the best discernment, preserves life and saves dignity, even knowing that it might infringe on some of these values. The alternative expressed through this criterion is thus found in the legal provision of interrupting the pregnancy.

The theology that guides this criterion does not take it as a general guideline, that is, it is not one to be applied indiscriminately. Certainly, abortion cannot be defined as a “good” in an absolute way. Each borderline situation opens up a moment of ethical discernment in which the people directly implicated must assume responsibility for the decision. What this theology assumes is that God, in infinite grace, can, in these borderline situations, assume that our “bad” options are a responsible service to the persons who find themselves in need.

The “Ethical Discernment” document makes evident the dynamic nature of how Brazilian Lutheranism considers the sources of authority. Refusing any form of authoritative magisterium, the document summons scripture to its determining place, as a primary source of authority. In the process of ethical discernment in borderline situations, this authority is accompanied by the central lines of theological tradition. This tradition includes an attentive listening to people who are vulnerable and suffering (the experience of faith in context) and considerations of the current legal statutes.

Authority, Discernment, Power and Truth: A Final Word?

This article hardly permits a definitive conclusion on the sources of authority and their dynamic in Latin American Lutheranism, and in Brazilian Lutheranism in particular. Yet we can make important observations. A first observation is that historic Latin American Protestantism, in spite of its connection to its confessional inheritances, transformed elements of its theology, disciplinary codes, and hierarchical structures into sources of authority above scripture. This access to scripture, which is free and mediated by the conscience of the Christian, has often been overshadowed by the intervention of mechanisms that restricted it.

These restrictions, according to the analysis above, were born out of frailties of the confessional inheritances themselves (the doctrine of the two kingdoms, the comprehension of sanctification, and the ideal of moral perfection). They were also a result of the frailties confronting mechanisms of power (economic and political), which transformed sources of authorities into coercive forces and generators of injustice, in this way compromising the gospel and the confessional inheritance. At other times, an adequate balance of these diverse sources of authority allowed Protestantism to recover its roots, constructively contributing to discernment in contexts of crisis. This generally occurred when Protestantism managed to relate, in a dynamic way, the traditional sources of authority of its confessional inheritances to urgent situations in its immediate context.

25. The abortion was carried out with the express authorization of the mother and had the accompaniment of a medical team.
9. The Development of Moral Discernment in the Evangelical Church in Germany in Light of National Socialist State Crimes

Thomas Martin Schneider

The “Moral Disaster”

National Socialist state crimes, which include the persecution and extermination of millions of Jews, mark a profound break in particular for the history of the EKD. Wolf-Dieter Hauschild quite rightly called the crimes a “moral disaster.”1 The Evangelical Church, to which about 60 percent of Germans belonged at the time, remained largely silent about the boycott of Jewish shops starting on 1 April, 1933, the 1935 Nuremberg race laws, the pogrom of November 1938, and the “Final Solution,” which the Nazis tried to keep secret. Organizational church assistance was available to a limited extent solely for “non-Aryan” Christians. In this respect, special mention should be made of the evangelical Office of Pastor Grüber in Berlin2 and corresponding aid centres of the Evangelical Lutheran Church in Bavaria in Munich and Nuremberg.3 Yet both this assistance and the courageous commitment of individual Christian men and women4


disappear “quantitatively and qualitatively in the historical assessment behind the almost complete silence.”

It should also be noted that especially among the radical “German Christians” in the Evangelical Church, there were Christians and church representatives who explicitly justified the persecution of Jews. Some, who viewed themselves as Christians or were active in the church, even played an active role in the extermination of the Jews, such as the Schleswig-Holstein pastor and SS-Obersturmbannführer Ernst Szymanowski (a.k.a. Biberstein), who left the Church in 1938. Lastly, it should not be forgotten that the so-called proof of Aryan ancestry, which literally made the difference between life and death, generally relied on church records, hence rectories. In addition to persecuting the Jews, the Nazi regime also engaged in bloody persecution of other groups, including political opponents like the Communists and Social Democrats, as well as Sinti and Roma, Jehovah's Witnesses and homosexuals. The church remained silent.

The only significant difference came when Hitler ordered the “euthanasia” programme at the beginning of the war. This involved the systematic killing of the mentally ill and physically disabled, impacting the church directly in its diaconal institutions. It led to noticeable resistance, ranging from successful delaying tactics to private efforts like the 1940 memorandum by Pastor Paul Gerhard Braune, director of Lobetal institutions, and the energetic protests of Theophil Wurm, bishop in Württemberg. It was thus possible to protect people from the murder campaign in many, albeit not all, church institutions. In addition to the intervention by the Wehrmacht (German armed forces), who feared for the lives of their war invalids, the input from the Catholic and Evangelical Church helped to put an end to systematic euthanasia.

However, “uncontrolled euthanasia” continued. State-imposed forced sterilization was opposed by Catholic but not Evangelical institutions, with the latter sometimes even participating actively therein. Moreover, forced labourers worked in church institutions, Catholic and Evangelical alike. Otherwise, as far as the “moral disaster” was concerned, there were no significant differences between the Evangelical and Catholic Church, which of course cannot in any way serve as an excuse for the Evangelical Church.

5. See Hauschild, Lehrbuch der Kirchen, 907.
6. See Ernst Klee, Das Personenlexikon zum Dritten Reich. Wer war was vor und nach 1945 [A dictionary of persons in the Third Reich: Who was what before and after 1945] (Frankfurt: Fischer, 2005), 47.
Questions

The moral failure, from today’s perspective, of the EKD during the Nazi era raises questions that deeply affect the church’s self-image. Today, there appears to be nearly unanimous consensus within the Evangelical Church in Germany (EKD) that the protection of human life – which includes a commitment to the weak, disenfranchised, and persecuted, to peace and justice, to universal and inalienable human rights, to religious tolerance, to emancipation, and to equal rights and inclusion – as well as the fight against racism, dictatorship, and tyranny are among the pillars of the biblically based Christian faith, to which the Reformation of Martin Luther and others wished to return. There is also a widely held view that the Reformation provided the decisive impulse “for the emergence of the modern world,” including its free and democratic structures, as Ernst Troeltsch effectively argued over a hundred years ago.8 This was and still is frequently linked to a certain arrogance toward Roman Catholicism, which at the time appeared conservative and backward compared to Protestantism and even set an explicitly anti-modern course in the late 19th and early 20th centuries. Finally, the “moral disaster” concerns, so to speak, a master narrative for the EKD founded in 1948, which has always seen itself and continues to see itself as the legitimate heir of the “Confessing Church” (“Bekennende Kirche”) under the Third Reich: Was not the “moral disaster” above all a matter of the heretical “German Christians,” who abandoned or rather betrayed the foundations of the Christian faith, to which the Confessing Church then returned?

But what if the Confessing Church also largely morally failed from today’s perspective? And what if it appeared that the “German Christians” were thoroughly consistent with a lengthy tradition in German Protestantism and – conversely – were also part of the modern world? When and on the basis of what insights and factors did the fundamental change finally occur in the moral judging and acting of the EKD? Finally, where do current values block our vision of the historically possible? It is comfortable and easy to judge from the secure vantage point of future generations.

Protestantism and Liberal Democracy

Eilert Herms was undoubtedly right when he stated that “liberal Western democracy cannot be linearly derived from Christian roots” and that “over long periods, Christianity lived under non-democratic systems of political rule,

which it not only accepted but also justified and allied itself with.”9 This applies more or less to all major Christian denominations and churches, and even to the Bible, which above all plays a normative role in the EKD. In any case, in the New Testament, due to the fundamental eschatological reservation to the world and its structures, there is no explicit theory of the state or the form of the state.10 Apart from this, the Bible contains both elements of criticism of rule, such as the prophetic criticism of kings (for example Judges 8–9) or Jesus’ words to rulers who oppress and inflict violence upon their people (Mark 10:42ff.), and elements legitimizing authority, such as the apostle Paul’s powerful admonition (Rom. 13:1): “Let every person be subject to the governing authorities; for there is no authority except from God, and those authorities that exist have been instituted by God.” Heinz Eduard Tödt warned against overemphasizing one or the other, that is, either the criticism or the legitimation of authority, as has frequently been the case in the history of Christianity.11

It is striking to note that current overviews of the history of democracy in the German language, such as the relevant work by Hans Vorländer from the popular series “C.H. Beck-Wissen”12 or the Wikipedia article on democracy, contain virtually no references to the Reformation, Protestantism, or Christianity. The primary emphasis is on pre-Christian Greek antiquity and the somewhat abruptly anticlerical albeit still deistic French Enlightenment. As it happens, the history of Protestantism comprises both individual elements that drove democratic thinking, promoting or at least integrating it, and elements that either impede or even oppose the development of democracy. This is equally valid for the state and the inner church sphere.

**Freedom in the Lutheran tradition**

Freedom was a central concept for Martin Luther, as can be seen from the title of his famous 1520 treatise “On the Freedom of a Christian/De libertate Christiana.”13 For Luther, however, it was less about individual freedom from a modern, enlightened political perspective and more about freedom bound to God in terms of responsibility for others. However, the question remains

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13. WA 6, 20–38 and 49–73.
whether Luther’s understanding of freedom also provided an impetus for the Enlightenment’s understanding of freedom.

Before the Emperor in Worms in 1521, Luther referred not only to the holy scripture but also to his conscience and reason. Here as well, one may ask whether this could have provided an impulse for the Enlightenment idea of the general freedom of conscience and thought as well as the principle of reason, even though for Luther in Worms, what mattered was the one truth.

The basic principle of the “priesthood of all believers” in Luther’s 1520 essay on the role of the nobility upset the medieval system of the three estates, even though Luther did not fundamentally question the latter and subsequently also stressed the need for a vis-à-vis of ecclesial ministry and congregation. We may ask once again if Luther may not have provided at least an impulse for the Enlightenment concept of equality and participation.

Luther’s teaching of the “two realms,” as he developed it in his 1523 text on temporal authority, acted as a “two-realms doctrine” that often played a de facto system-stabilizing role for authoritarian governments. But rightly understood, his doctrine also served as a catalyst for the Enlightenment notion of the separation of church and state and the separation of powers. The Lutheran “two-realms doctrine” is reflected by the fifth thesis of the Barmen Theological Declaration of 1934, the “Magna Carta” of the Confessing Church. It emphasizes the State’s own law, which however remains accountable to God:

> Scripture tells us that, in the as yet unredeemed world in which the church also exists, the State has by divine appointment the task of providing for justice and peace. It fulfills this task by means of the threat and exercise of force, according to the measure of human judgment and human ability. The church acknowledges the benefit of this divine appointment in gratitude and reverence before him. It calls to mind the Kingdom of God, God’s commandment and righteousness, and thereby the responsibility both of rulers and of the ruled. It trusts and obeys the power of the Word by which God upholds all things.

The exceptional twofold condemnation warns against both encroachment of the State and encroachment of the church:

15. WA 6, 404–469.
We reject the false doctrine, as though the State, over and beyond its special commission, should and could become the single and totalitarian order of human life, thus fulfilling the church’s vocation as well. We reject the false doctrine, as though the church, over and beyond its special commission, should and could appropriate the characteristics, the tasks, and the dignity of the State, thus itself becoming an organ of the State.18

Luther surely did not intend for the Reformation to lead to a lasting diversification within Western Christianity. Nevertheless, this diversification provided a de facto impulse for the Enlightenment concept of pluralism and the relativism of truth.

The impetus that was provided by Luther, which he to a certain extent sought either relatively indirectly or not at all, was diametrically opposed to his rough polemic against rebellious peasants, “fanatics,” “papists,” Jews, Turks and so forth, which, albeit inadmissible for us today, was very typical of his time. Theologically speaking, Luther emphasized the complete lack of freedom of a human being’s will in relation to God, which in his view could only enable the justification of the Christian and his freedom in the inner-worldly sphere and between human beings.19

**Freedom in the Reformed tradition**

In both Zwingli’s Zurich and Calvin’s Geneva, the Reformation was formally introduced through council decisions. Above all in Geneva, a close symbiosis developed between the city authorities and church leaders, which on various occasions was described as “theocracy” with totalitarian traits or even – to take up the title of a 2009 monograph by Volker Reinhardt – a “tyranny of virtue.”20 Yet Calvin is, paradoxically enough, still stylized as one of the forefathers of modern democracy.21 The two views, both Calvin’s stylization as a tyrant as well as his classification as a pioneer of liberal democracy, testify to anachronistic, unhistorical projections and reveal more about the ideological positions of the respective recipients than they do about those of Calvin. Like Luther, Calvin

18. Ibid.
19. See Martin Luther, “De servo arbitrio,” 1525 (WA 18, 600–787). Luther himself held this essay in high esteem (see WA Br 8, 99, 7f. [Nr 3162]).
was first and foremost interested in theological questions: what mattered to him was God’s sovereignty, not the sovereignty of the people.

Nevertheless, the external conditions of the Reformed Church favoured the emergence of structures that were decisive for later democratic developments. These conditions existed not only in the Swiss Confederation, with its city-republics, but also, for example, in France, where the Protestants suffered bloody persecution, in the Netherlands, fighting for independence from Spain, and in Scotland, locked in a long-standing conflict with England. On the basis of Calvin’s four-offices teaching, ecclesiastical collegial management bodies, presbyteries, and synods were established in Reformed parishes and associations of parishes, partly as a counterpart to hostile authorities. This, in turn, led to the development of the presbyterial and synodal church orders in the 19th century, now established throughout the EKD, even though the concrete form varies. European emigrants brought the presbyterial and synodal concept to North America in the 17th century, where it was also practiced. As regards efforts aimed at emancipation from the English crown and enlightenment thinking, the ecclesial activation of parishioners in North America contributed “to the theoretical and practical development of democracy.” Conversely, this in turn influenced conceptual ideas of church constitutions in Europe.22

Wolf-Dieter Hauschild has pointed out that Calvin’s original thinking along the above-mentioned lines underwent a significant transformation. The Christological rationale that was so dear to Calvin was replaced by a genuine democratic theoretical foundation. People followed general state-political developments and more or less argued, in accordance with the basic principle that all power emanates from the citizens, that the ecclesiastical authority is owned by the folk church or rather the church members.23 As a result of the experience of the “church struggle,” there was admittedly a return to a new understanding of the theological or Christological essence of church bodies. The Confessing Church’s parallel leadership structures with their councils of brothers and synods were geared to the old Reformed model. This was in absolute contrast to the bodies governed by the “German Christians,” which adopted the state’s “Führer” principle. In particular, Reformed theologian Karl Barth also to a certain extent opposed the totalitarian claim of the unjust National Socialistic nation to the totalitarian claim of Jesus Christ. This finds expression in Barth’s teaching on the classification of “the Christian community and the civil community,”24 as is already implied in the second thesis of the Barmen Theological Declaration:

23. Ibid.
As Jesus Christ is God’s assurance of the forgiveness of all our sins, so, in the same way and with the same seriousness he is also God’s mighty claim upon our whole life. Through him befalls us a joyful deliverance from the godless fetters of this world for a free, grateful service to his creatures.

We reject the false doctrine, as though there were areas of our life in which we would not belong to Jesus Christ, but to other lords, areas in which we would not need justification and sanctification through him.25

This thesis, from which the church’s role as a political watchdog can be derived, clearly conflicts with Luther’s two-realms doctrine and thus also with the fifth Barmen thesis.

**Developments since the Enlightenment**

The freedom-promoting impulse of the Reformation was primarily taken up in the era of the Enlightenment, rationalism, and liberal “culture Protestantism” and further developed both in terms of politics and church policy. Nevertheless, it was not until 1985 that the – then West German – EKD took a clear stand in favour of democracy in its memorandum “The Evangelical Church and Liberal Democracy: The State of the Basic Law as an Offer and a Task.”26 To quote the deceased Leipzig church historian Kurt Nowak, the churches in the GDR “only came out clearly on the side of democracy at the time of the fall of the SED state, namely, at the Synod of the GDR Federation of Churches in September 1989 in Eisenach.”27

What were the reasons behind this late acknowledgement of democracy in Protestantism despite many democracy-promoting elements in its history? The close symbiotic link between throne and altar, as embodied by the Protestant territorial churches with the high episcopate of the sovereign, undoubtedly had an impact not only in Lutheran but also in Reformed territories. The Protestant territorial churches intrinsically contradicted Luther’s two-realms doctrine and were only accepted by him as a temporary arrangement. As is well known, however, provisional arrangements often take on a life of their own, grow firm, and develop lasting institutions, all the more so if power-political interests are involved.

25. *The Barmen Declaration (1934)*.


The abrupt end of the monarchy in Germany in 1918, together with the lost war, marked a traumatic break for German Protestantism because it also led to the collapse of the ecclesial order. As a result, it was very difficult for many church representatives to get used to the idea of the first democracy on German soil. Consequently, during the uncertain transitional phase at the beginning of the Weimar Republic, there were also various attempts by the anti-clerical political left to put into practice the programme of a radical separation between church and state. As it were, church circles kept in mind the “spectre” of the 1905 lay separation model in France and the harsh repression of the church in Bolshevik Russia. The mutually problematic relationship between the Evangelical Church and social democracy only eased in connection with the SPD’s Godesberg Party Manifesto of 1959. Some ten years later began the sometimes massive left-wing politicization in the Evangelical Church, which after the experiences of the Third Reich and in the wake of the so-called “68-movement” can also be understood as a reflex to the right-wing politicization at the beginning of the 20th century, and thus to a certain extent as continuity and not necessarily as “the Great Change.”


30. For example, Uwe Kaminsky, “Die evangelische Kirche im Rheinland 1918 bis 1989. Eine Übersicht” [The Evangelical Church in the Rhineland from 1918 to 1989. An overview],
and West clung to “social notions of homogeneity” and to the “claim of acting as a ‘watchdog’ for political culture until well past 1945, even though there was a change in the ‘signs’ of ‘right’ and ‘left’.”

On the other hand, it should of course not be overlooked that Protestants actively participated both in building the democratic structures of the Federal Republic of Germany and in the democratic opposition in the GDR. A number of leading representatives of the early Federal Republic were rooted in the Protestant church circles. The Evangelical Church played a decisive role in the opposition movement in the GDR, which finally led to the “peaceful revolution” in 1989.

The Evangelical Church and National Socialism

To understand the accommodation and collaboration of large segments of the Evangelical Church with National Socialism, it is not enough to refer to the backward-looking church leaders who missed the old monarchical order, all the more so because most of them adapted to the new circumstances sooner or later. To be sure, they rarely turned into committed democrats, but became rational republicans often enough. Moreover, in the time after 1918 there were diverse new departures in the Evangelical Church and theology. Thus, there was no push to reverse the course of history. At the time, it was very difficult to predict how the different currents and their individual representatives would develop and position themselves in the changed political circumstances of the Third Reich, unlike how things may seem today from the secure vantage point of later generations.

Early critics of National Socialism included theologians of very different persuasions, such as the Cologne theologian and vocational school teacher Ina Gschlössl, who was close to the religious socialists; the liberal Kiel professor of practical theology Otto Baumgarten; and Hermann Sasse, the publisher of the Church Yearbook and later a professor of theology at Erlangen, a staunch confessional Lutheran who was thus in the conservative camp. Conversely, the sympathizers and supporters of National Socialism included theologians in *Evangelisch am Rhein. Werden und Wesen einer Landeskirche* [Evangelical on the Rhine: The development and being of a National Church], ed. Joachim Conrad, Stefan Flesch, Nicole Kuropka, and Thomas Martin Schneider on behalf of the Committee for the History of the Rhineland Church and Contemporary Church History (Düsseldorf: Müller 2007), 96–120, at 96


from very different political backgrounds, such as Emanuel Hirsch, part of the Lutheran renaissance; Friedrich Gogarten, who belonged to the circle of dialectic theology; the Reformed theologian Otto Weber; and Horst Schirmacher, who started out with the Religious Socialists.

There are countless examples that progressive, liberal theologians and representatives of culture Protestantism were not immune either to the temptations of National Socialism and the “German Christians.”33 The most radical—Thuringian—wing of the “German Christians” even displayed a special affinity for liberal theology.34 This is related to the fact that National Socialism certainly also evinced modern elements, while culturally open, dogma-critical or undogmatic Protestantism was susceptible to the spirit of the time and its aberrations. On the other hand, with the “German Christians” in general, contemporary political and ideological convictions took precedence over theology and trivialized theology was accommodated to political and ideological convictions.

Two factors played a key role in this respect: on the one hand, missionary convictions, and on the other hand, indifference to theological questions in a narrow or proper sense, as can be seen from the words of the later “German Christian” Bishop for the Church Province of Saxony, Friedrich Peter: “We never thought about whether we agreed theologically.”35 Theology was secondary: the main issue was whether one agreed with the dominant political ideology and could thus present oneself as modern and not clinging to antiquated traditions. Official proclamations were issued frequently: the outdated creeds were left untouched but were no longer viewed as relevant. To the extent that any theological reflection took place, it was tied to historical theological ideas of the divine orders of creation.36 These were then further developed with the uptake of elements of Nazi race ideology for the doctrine of the “Volksno-

35. Quoted from Sonne, Die politische Theologie, 9.
36. See also Paul Althaus, Theologie der Ordnungen (Gütersloh: Bertelsmann, 1934).
mos,” according to which each people was suited to a typical law that was qualified as the central revelation of God and was at the same time personified and proclaimed by the charismatic Führer (leader) of the people.37

The representatives of the Confessing Church, who theologically speaking were most often characterized by either dialectic theology or confessional Lutheranism, also predominantly distanced themselves from democracy when they did not reject it altogether. Martin Greschat has shown that the vast majority of the members of the Barmen Confessing Synod had German national or even National Socialist leanings.38 The attitude and behaviour of the sole female synodal member, Stephanie Mackensen von Astfeld, was quite typical: She argued that her commitment within the Confessing Church could be reconciled with membership of the National Socialist German Workers Party (NSDAP). When party expulsion proceedings were initiated against her in 1938 due to her Confessing Church commitment, she even defended herself successfully.39

Even Dietrich Bonhoeffer, who was undoubtedly one of the most far-sighted and courageous theologians during the Third Reich, specifically rejected the sentence from Article 1 of the Weimar Constitution, namely, “State authority derives from the people.”40 And in his June 1933 essay entitled “The Church Faced with the Jewish Question” – from which comes the much-quoted word “wheel,” which when necessary must “fall in the spokes” – Bonhoeffer is primarily thinking of only baptized Jews. In the same essay, he specifically recognizes the state’s right in the “Jewish question . . . to explore new avenues,” which even for Bonhoeffer “doubtless” involves “a social problem, with which our State must deal.”41 Sabine Dramm has argued in favour of freeing an increasingly sainted, politically and theologically instrumentalized Bonhoeffer for his own sake from the “patina of iconization”; she sees him as a minister to some resistance fighters rather than a resistance fighter himself.42

40. See Nowak “Protestantismus und Demokratie,” 8 and 27.
41. DBW 12, 349–358, quotes: 351–53.
The democratic spirit of Karl Barth, who not least because of his outstanding importance for the Confessing Church is viewed by many even today as the church father of the 20th century, has been strongly challenged in the meanwhile. For example, Munich-based social ethicist Trutz Rendtorff criticized Barth for being more interested in a general reckoning with neo-Protestantism than with a critical examination of the National Socialist ideology and the “German Christian” heresies. In so doing, however, Barth broke with the modern enlightenment and squandered compatibility with the modernity. According to Rendtorff’s student and successor, Friedrich Wilhelm Graf, Barth’s theology even “worked de facto to relativize democracy.” Marburg church historian Jochen-Christoph Kaiser also viewed the culture- and social-critical attitude of Barth’s theology as a burden for the young Weimar democracy, judging it accordingly: “Through their biting criticism of any mixture of Christianity and culture or society, they [sc. “Barth and his new ‘school’”] weakened the positive strengths of the [Weimar] Republic and overlooked the opportunities that democracy and a pluralist polity also offered for the practice of belief.

The fact that a strict return to theology proper can have a de facto political effect is reflected by the Barmen Theological Declaration, which “in line with its understanding does not contain any political programme, guidance for resistance or directives for action.” One can either view this ex post facto as a lack or judge matters more positively like Klaus Scholder: “In actual fact, the historical importance of the Theological Declaration lies precisely in the fact

that it is not constrained by the then overwhelming political questioning.” 48

With regard to the fifth Barmen thesis, Scholder argues:

Thus, the fifth thesis resolutely rejects a directly political mandate for the church. It is not for the church to engage in political discussion; rather, it must stick to its business, namely, the proclamation of Jesus Christ. And it was precisely by so doing that it earned its own, irreplaceable and unique political profile. 49

However, the experience of the Third Reich also shows that religious freedom and political freedom or the lack thereof converge, and that it is part of the church’s core mandate to be an advocate for the weak and oppressed. There were the courageous objections of individuals, such as Martin Gauger, the legal advisor representing the Lutheran wing of the Confessing Church in the Lutheran Council, who as far back as 1934 was dismissed from the civil service owing to his refusal to swear allegiance to the Führer and who was murdered by the Nazis in 1941 on account of his conscientious objection. Of special note, however, were the 1936 memorandum by the second provisional church leadership (VKL II) representing the radical Confessing Church to Hitler 50 and their penitential liturgy for a “Prayer service on the occasion of the threat of war” in 1938. 51 Both texts contained direct political references. The memorandum,


51. The supplication liturgy is printed inter alia in KJ 1933–442, 256ff.; and in Günter
which led to the murder of VKL II Office Manager Friedrich Weißler,\textsuperscript{52} states, “The evangelical conscience, mindful that it is jointly responsible for people and government, is sorely burdened by the fact that in Germany, which calls itself a constitutional State, there are still concentration camps and measures taken by the Secret State Police are not subject to any judicial review.”\textsuperscript{53} The memorandum even took a stand on the “Jewish question,” albeit in a relatively vague, convoluted fashion: “If, in conjunction with the National Socialist world view, Christians have antisemitism imposed upon them that requires them to hate the Jews, this is opposed by the Christian precept of loving one’s neighbor.”\textsuperscript{54} The supplication liturgy contained among other things a confession of the “sins of our people” against the Ten Commandments and strongly cautioned against the temptations, hatred and grim consequences that each war brought with it.\textsuperscript{55}

Apart from such courageous, clear-sighted utterances, it took a few years after 1945 – notwithstanding various earlier so-called admissions of guilt such as the Stuttgart Declaration of October 1945 – before those responsible within the churches clearly recognized that, at least due to silence and neglect and to the disastrous tradition of Christian anti-Judaism, they were complicit in the murder of millions of people. Clearly, this has less to do with self-critical theological reflection and more to do with a gradual awareness of the historical reality of this monstrous crime, as reflected by the “Word on the Jewish Question” drafted by the radical united-reformed wing of the Confessing Church attributable to the Reichsbruderrat of April 1948. Here, regardless of the condemnation of antisemitism against the “wayward children of Israel,” the focus is on remonstrance: “Because God is not mocked, the mute sermon of the Jewish fate is a warning for us [sc. Christians] and a reminder for the Jews of what will happen if they refuse to convert to the only one who can save them [sc. hence

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\item Brakelmann (ed.), \textit{Kirche im Krieg. Der deutsche Protestantismus am Beginn des II. Weltkriegs} [The church in the war: German Protestantism at the beginning of the Second World War] (Munich: Christian Kaiser Verlag, 1979), 49f. See also Kurt Meier, \textit{Der evangelische Kirchenkampf, Bd. 3} [The Evangelical Church Struggle, Vol. 3] (Göttingen: Vandenhoeck & Ruprecht, 1984), 53–62
\item 53. Quoted from: KTGQ 5 (1999), 134.
\item 54. Quoted from ibid., 133.
\item 55. Quoted from: Brakelmann \textit{Kirche im Krieg}, 49f.
\end{itemize}
\end{footnotesize}
Jesus Christ].”\textsuperscript{56} As far as viewing the Holocaust and the Shoah as God teaching the Jews to turn back to Christianity is concerned, such an interpretation from today’s perspective reflects stunning cynicism. Yet three years after the end of the Nazi regime, this was the interpretation proclaimed by those who – not without reason – viewed themselves as the most determined opponents of the National Socialists within the Evangelical Church.

The Question of “Why?”

In conclusion, we should once again explicitly take up the question, frequently raised today, of “Why?” Judged by today’s standards, why did the Evangelical Church largely fail, morally speaking, during the National Socialist era? And how was it able to overcome this moral crisis?

There were hardly charismatic individuals pointing the church in different directions. Among the “German Christians,” young Reichsleiter Joachim Hossenfelder was unable to prevail against Hitler’s protégé Ludwig Müller, losing any significant influence after Müller was elected Reichbishop at the September 1933 Reichssynod and forced into political conformity (“gleichgeschaltet”) following the church elections of July 1933.\textsuperscript{57} In the autumn of 1934 at the latest, Müller himself was no longer taken seriously in his own ranks, and he had been de facto disempowered by summer 1935.\textsuperscript{58} Göttingen theology professor Emanuel Hirsch acted temporarily as the “German Christians” chief theologian to a certain extent, but was virtually invisible to the public eye.\textsuperscript{59} Thus, as already mentioned above, theology played virtually no role for the “German Christians” either.

In the Confessing Church, two individuals in particular were taken seriously as influential personalities: Martin Niemöller, the chair of the Emergency Covenant of Pastors (Pfarrernotbund) – as the representative of the


\textsuperscript{58} On Müller see Thomas Martin Schneider, Reichsbischof Ludwig Müller. Eine Untersuchung zu Leben, Werk und Persönlichkeit, AKiZ B 19 (Göttingen: Vandenhoeck & Ruprecht, 1993).

united-reformed wing 60 – and Regional Bishop Hans Meiser – as the leading figure of the Lutheran wing. However, at the beginning of the Nazi regime, Niemöller sympathized wholeheartedly, politically speaking, with National Socialism, and many today reject Meiser due to his anti-Jewish statements from the year 1926.61 To be sure, after 1945 Niemöller raised the question of guilt like no other, playing a decisive role in the drafting of both the Stuttgart Declaration of Guilt of 1945 and the Darmstadt Statement of 1947.62 However, he was not attracted by Western-style liberal democracy and called for an election boycott in the young Federal Republic. It should also be noted that Confessing Church members, in deliberate contrast to the “German Christians,” relinquished management positions entrusted with power, opting instead for collegial governance structures. Today, the chairs of these governance bodies have either been more or less disavowed, like that of the first Provisional Church Governing Body (VKL I), Hanover Bishop August Marahrens,63 or are hardly known by current experts, like that of the second Provisional Church Governing Body (VKL II), Dahlem Pastor Fritz Müller.

Karl Barth was undoubtedly theologically influential for the united-reformed wing of the Confessing Church. However, the Barmen Theological Declaration, which he was instrumental in drafting, deliberately avoided any

60. On Niemöller see the new critical biography by Benjamin Ziemann, Martin Niemöller. Ein Leben in Opposition (Munich: Deutsche Verlags-Anstalt, 2019).


explicit political statements; otherwise it would never have been received by a majority. When Barth was forced to leave Germany in 1935 his influence quite naturally declined. Subsequently, the more radical wing of the Confessing Church also distanced itself from him, at the latest by the publication of his letter dated 19 September 1938 to Czech theologian Josef Hromádka, in which he called on Christians to militarily resist Hitler’s aggressive expansionist ambitions.64

The Lutheran wing of the Confessing Church sought direction from the Lutheran Confessions of the 16th century, the Neo-Lutheranism of the 19th century and also to a certain extent by the Lutheran renaissance of the early 20th century.65 The Lutherans did not have a theologian of Barth’s caliber. Some influence was wielded by the later Hanover Bishop, Hanns Lilje;66 by the university professor from Bethel, then Neuendettelsau, Georg Merz,67 strongly influenced by Barth; and by Hermann Sasse, who left the church out of frustration and emigrated to Australia after 1945.68 In accordance with the Lutheran tradition of the two-realms doctrine, Lutheran theologians and church leaders attached great importance to the separation of church and state and theology and politics.

Among the “German Christians,” the key factors were the National Socialist spirit of the time and the complete dominance of political convictions and activities at the expense of Christian theological substance. Within the Confessing Church, both wings replaced these key factors by a return to the theological proprium of the church. This was either accompanied by fundamental sympathy for the National Socialist spirit of the time or led to an almost demonstrative renunciation of politics coupled with disregard for human rights violations by National Socialists. The only objections were raised in cases where the freedom

64. See also Eberhard Busch, Karl Barths Lebenslauf (Gütersloh: Gütersloher Verlagshaus, 1993), 262f.
65. See Thomas Martin Schneider, Gegen den Zeitgeist. Der Weg zur VELKD als lutherischer Bekenntniskirche [Against the spirit of the time: The path to the VELKD as the Lutheran Confessing Church], AKiZ B 49 (Göttingen: Vandenhoeck & Ruprecht, 2008).
67. See Manacnuc Mathias Lichtenfeld, Georg Merz – Pastoraltheologe zwischen den Zeiten. Leben und Werk in Weimarer Republik und Kirchenkampf als theologischer Beitrag zur Praxis der Kirche [Pastoral theologian between the times: Life and works in the Weimar Republic and the church struggle as a theological contribution to the praxis of the church], LKGG 18 (Gütersloh: Gütersloher Verlagshaus, 1997).
and independence of the church and its theological doctrine and confessions were threatened.

Whereas the “German Christians” were also thoroughly discredited with the fall of the Nazi regime in 1945, the representatives of the Confessing Church were able to portray themselves as winners of history. With regard to the “self-purification” imposed by the occupying powers instead of the denazification applied elsewhere, the new church governance bodies moved ahead at a snail’s pace; overall, the upshot was a few transfers and early retirements. What is more, EKD Council Chair Theophil Wurm sharply criticized the denazification process on the whole. Even Niemöller saw to it that a heavily incriminated Nazi official was reintegrated into the service of the church following his rejection by the Evangelical Lutheran Church in Bavaria. The Stuttgart Declaration of Guilt, viewed as inadequate from today’s perspective, was widely rejected in evangelical Germany at the time and only came into being at the request of church leaders from abroad, who wanted to give the new EKD access to the worldwide ecumenical community. The Darmstadt Statement was only accepted and received by a relatively small circle, who represented neither the broad consensus of Barmen nor German post-war Protestantism. It was significantly more political than the Stuttgart Declaration, evincing a certain affinity with socialist thinking.

As the new social movements of the 1960s to 1980s led younger generations to demand a critical reappraisal of the Nazi era, theology and church once again became political, completely in line with the Darmstadt Statement, but this time with leftist leanings. After initial resistance, political theologian


72. See point 5 of the Darmstadt Statement: “We went astray when we overlooked the fact that the economic materialism of Marxist teaching should have reminded the church of the mission and promise of the community for human life and living together in this world.” Quoted from Greschat Im Zeichen der Schuld, 85f.

73. See also Klaus Fitschen et al., Die Politisierung des Protestantismus.
Dorothee Sölle became influential in this respect. Focusing on narrowly defined theology, as had been the case for the Confessing Church, was viewed as too narrow; the old dogmatic concerns lost their relevance and were overlaid by political and socio-ethical questions. This of course went hand in hand with significant loss of societal importance for the folk church. The role played by synods and other church governance bodies can only be determined in individual cases following further research; often, the corresponding minutes have not yet been published. If enquiries are made as to the relevant authorities in and around the “church struggle,” what first comes to mind is on the one hand the attraction of the respective general spirit of the time and on the other hand church leaders sought guidance from the “old confessions” – as in the case of the Lutheran Confessing Church – or from “God’s Word” – as in the case of Barth.

Conclusion

Viewed from today’s perspective, the EKD, and to be sure the Confessing Church as well, largely failed in its moral role in the face of the National Socialist state crimes. With regard to the promotion of freedom in the present political sense, including human rights, the history of the Reformation churches in Germany must be judged as ambivalent. It contains both freedom-promoting impulses and tendencies – often to a certain extent as a side effect, and sometimes also unwanted – and freedom-inhibiting inspirations and trends. The “German Christians” who sympathized with the National Socialists were modern insofar as they were prepared to adapt to the then topical political and ideological spirit of the time, largely viewed as progressive, relinquishing in return their confessional tradition and theological substance. In terms of structure – albeit not in terms of content! – this was thoroughly consistent with the history of the ecclesia semper reformanda with its diverse accommodation attempts at the same time.

In contrast to the course set by the “German Christians,” the Confessing Church opted theologically speaking – in the best sense of “re-formation” – for conservative insistence on the confessional foundations and, in a heated, highly political setting, for relatively unpolarized prioritization of theological substance. Like the Catholic Church, the Confessing Church managed to resist the Nazi regime’s forced political conformity (Gleichschaltung). This is both a lot and little. It is a great deal in relation to other large societal groups, such as parties, unions, and employers’ associations, which either did not or could not withstand the pressure of Gleichschaltung. It is little, because there was only significant political resistance at best in the beginning or only by a few individuals.
Owing to concerns over preserving confessional identity and organizational
independence, the Confessional Church paid little attention to political prob-
lems and human rights violations that did not directly concern the church – not
even in the Barmen Theological Declaration.

A common reproach to the churches is that they were too unpolitical and
all too selfishly only looked after their own concerns. However, this reproach
falls short. The example of the “German Christians” shows how problematic the
 politicization of the church can be if the church fails to preserve its confessional
identity and surrenders its organizational independence. On the whole, the
EKD only gradually managed to take a political position in favour of the dis-
enfranchised and persecuted outside its own ranks and, with a few exceptions,
only some time after the Nazi era, once the qualitative and quantitative extent
of the Nazi state crimes had become known and it had become clear that they
were diametrically opposed to the Bible’s fundamental ethical postulates. The
church, here as well, actively participated in the overall societal development.
10. Change in Catholic Moral Teaching

The Right to Religious Freedom

in Dignitatis Humanae

David G. Kirchhoffer

How we define what we mean by change when dealing with matters of doctrine and morals is key to making any sense of the deeper questions at stake. Questions of whether, and if so how and why, change occurs in the moral teaching of churches rely on a clear conception of change. This paper seeks to contribute to the discussion of these questions by closely examining a particular case of change in moral teaching in the Catholic Church, namely, the declaration by the Second Vatican Council of a right to religious freedom in the 1965 Declaration on Religious Freedom, Dignitatis Humanae.

The issue of change has long been the focus of debate in the Roman Catholic context. The Second Vatican Council, the mandate of which was to “update” the church with respect to the circumstances of the world in which it found itself, introduced a number of practices that were literally different from what had been there before. An obvious example is the encouragement of the use of the vernacular instead of Latin in the liturgy. One cannot say that this is not a change, in a literal sense of the word “change.” What has been debated, however, is whether such literal changes also represent radical departures (“rupture”) from the tradition of the church.


2. Four terms have been used to describe the various positions in this debate: continuity, reform, discontinuity, and rupture. See Pope Benedict XVI, Address of His Holiness Benedict XVI to the Roman Curia Offering Them his Christmas Greetings, 22 December 2005, AAS 98 (2006), 40-53, English trans. available at http://w2.vatican.va/content/benedict-xvi/en/speeches/2005; Benedict concludes that the appropriate hermeneutic for interpreting
Clearly, what is at issue here is the very notion of change, and the crucial distinction between literal change in a practice or wording of a doctrine, and change understood as an essential or substantial departure from the truth of revelation and tradition. Another way of putting it might be to talk about the difference between a literal change in a teaching (small “t”) and essential change in the Teaching (big “T”). Note, by the use of the word “teaching” here I do not mean merely propositional statements. Rather, Teaching should be understood as a placeholder for the whole church’s reception and communication of the truth of revelation and reason. Typically, whilst a relevant and appropriate change to a teaching should be acceptable, change to the Teaching cannot be accepted if one is going to try to claim that the church in which literal changes have occurred is nonetheless the same church. As an analogy, I am still the same person that I was when I was born, though I have quite clearly changed. None of these changes have been so radical as to make me someone else, though they are certainly radical in a number of other senses: size, knowledge, physical capacity, social roles and so on are radically different in an adult compared to a child.

This paper proposes that in Dignitatis Humanae, we see a literal change in moral teaching (small “t”) that constitutes a development of Teaching (capital “T”). Secondly, this development occurred because other changes in the context of Vatican II is a mixture of discontinuity and continuity and cites Dignitatis Humanae as an example: “It is precisely in this combination of continuity and discontinuity at different levels that the very nature of true reform consists. In this process of innovation in continuity we must learn to understand more practically than before that the Church’s decisions on contingent matters – for example, certain practical forms of liberalism – should necessarily be contingent themselves, precisely because they refer to a specific reality that is changeable in itself. It was necessary to learn to recognize that in these decisions it is only the principles that express the permanent aspect, since they remain as an undercurrent, motivating decisions from within. On the other hand, not so permanent are the practical forms that depend on the historical situation and are therefore subject to change.” See also, among others, Gerald O’Collins, The Second Vatican Council: Message and Meaning (Collegeville: Michael Glazier/ Liturgical Press, 2014), 25–56; Ormond Rush, Still Interpreting Vatican II: Some Hermeneutical Principles (Mahwah: Paulist Press, 2004), 79–80.

3. The use of capital “T” and small “t” in this case is analogous to the way they are used in the World Council of Church’s (WCC’s) Faith and Order Commission study of “Scripture, Tradition and Traditions,” The Fourth World Conference on Faith and Order: The Report from Montreal 1963, ed. P. C. Rodger and L. Vischer (London: SCM Press, 1964), 50-60, in which the distinction is made between Tradition (“God’s revelation and self-giving in Christ, present in the life of the Church” para. 46) and tradition (the interpretation of Tradition crystallized in “creeds, the liturgical forms of the sacraments and other forms of worship, and also in the preaching of the Word and in theological expositions of the Church’s doctrine,” para. 50). Insofar as teaching is part of tradition, it seems appropriate to make this connection.
in which the community – the Roman Catholic Church – found itself led some in the community to call the existing teaching into question in light of the Teaching. The debates that ensued between those who advocated the change and those who opposed it were resolved precisely by an appeal to the Teaching, such that the change in a teaching was deemed by the vast majority of the council to better reflect the Teaching than what preceded it.

In other words, we see, in Dignitatis Humanae, evidence of what Pope Benedict XVI has described as reform appropriate to historical circumstances such that discontinuities emerge that are nonetheless in substantial continuity with the principles of the past: “[The Council’s] new definition of the relationship between the faith of the Church and certain essential elements of modern thought, has reviewed or even corrected certain historical decisions, but in this apparent discontinuity it has actually preserved and deepened her inmost nature and true identity.”

In the sections that follow, I first introduce Dignitatis Humanae and describe the literal change that it declares. Second, I review the changes in context that necessitate a development of the Teaching. And third, I outline the history of the drafting of the document, with a focus on the key positions at the council to demonstrate how the literal changes in a teaching arise as a response to the context in a way that these changes better articulate the Teaching.

Dignitatis Humanae and the Right to Religious Freedom

The Declaration on Religious Freedom, Dignitatis Humanae, was one of the final documents of the Second Vatican Council. It was promulgated with 2,308 votes in favour and 70 against by Pope Paul VI on 7 December 1965. The document contains a literal change in the teaching of the Catholic Church on the right to religious freedom. The church had long taught that “error has no rights.” The declaration reverses this by affirming a right to freedom of religion.

The idea that “error has no rights” can be seen clearly in Pope Pius IX’s 1864 encyclical letter Condemning Current Errors, Quanta Cura, and its appended Syllabus of Errors. In it, citing his predecessor Gregory XVI’s encyclical Mirari Vos, Pius dismisses as “insane nonsense” the idea that “liberty of conscience and worship is the personal right of every man.” Included, as number 15 on the list


of propositions that Pius condemns, is the proposition that everyone “is free to embrace and profess that religion, which, guided by the light of reason, he holds to be true.” Consequently, Pius vehemently opposes the idea that any such right should be written into and protected by civil law, rejecting the proposition that “it is no longer expedient that the catholic religion should be held to be the only religion of the state, to the exclusion of all other forms of worship.”

Pope Leo XIII, Pius’s successor, whilst perhaps not as strident, nonetheless reaffirms this teaching in his 1885 encyclical On the Christian Constitution of States, *Immortale Dei*:

> It is not lawful for the State, any more than for the individual, either to disregard all religious duties or to hold in equal favour different kinds of religion; that the unrestrained freedom of thinking and of openly making known one’s thoughts is not inherent in the rights of citizens, and is by no means to be reckoned worthy of favour and support. (Para. 35)

And in his 1888 encyclical On Human Freedom, Leo XIII states that the so-called liberty of worship, that is, the freedom to choose any or no religion, is “opposed to the virtue of religion” (para. 19). Moreover, civil society is, according to Leo, established by God since human beings are created as social beings. Since all authority in civil society comes from God, civil society cannot affirm a right to the practice of any or no religion. Rather, the state is bound to affirm and protect the one true religion: Catholicism (para. 28).

In the debates in the first half of the 20th century, leading up to the Second Vatican Council, this teaching was reiterated against those within the church who claimed that there was an inherent right to freedom of religion, such as Jesuit priest and theologian John Courtney Murray and philosopher Jacques Maritain. One of the main opponents of this rights-based argument, both before and during the council, was Alfredo Cardinal Ottaviani. In a 1953 lecture at the Lateran University, Ottaviani criticized those within the church who advocated religious freedom, arguing, “Only those who obey God’s mandates and possess his truth and justice have true rights.”

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All of this stands in stark contrast to the wording found in *Dignitatis Humanae*. The difference in tone and wording when compared to the examples quoted above is clearly apparent in a literal reading of the text. In *Dignitatis Humanae*, the Second Vatican Council declares:

This Vatican Council declares that the human person has a right to religious freedom ([*personam humanam ius habere ad libertatem religiosam*]). This freedom means that all men are to be immune from coercion on the part of individuals or of social groups and of any human power, in such wise that no one is to be forced to act in a manner contrary to his own beliefs, whether privately or publicly, whether alone or in association with others, within due limits.

The council further declares that the right to religious freedom has its foundation in the very dignity of the human person as this dignity is known through the revealed word of God and by reason itself. This right of the human person to religious freedom is to be recognized in the constitutional law whereby society is governed and thus it is to become a civil right.

It is in accordance with their dignity as persons – that is, beings endowed with reason and free will and therefore privileged to bear personal responsibility – that all men should be at once impelled by nature and also bound by a moral obligation to seek the truth, especially religious truth. They are also bound to adhere to the truth, once it is known, and to order their whole lives in accord with the demands of truth. However, men cannot discharge these obligations in a manner in keeping with their own nature unless they enjoy immunity from external coercion as well as psychological freedom. Therefore the right to religious freedom has its foundation not in the subjective disposition of the person, but in his very nature. In consequence, the right to this immunity continues to exist even in those who do not live up to their obligation of seeking the truth and adhering to it and the exercise of this right is not to be impeded, provided that just public order be observed.7

It should be noted that while the change in language appears to be a sudden one, it is not an unprecedented one. In the years before the council, prominent figures in the Roman hierarchy (such as Ottaviani, who was secretary of the Holy Office) and in the theological academy had used their influence to counter and at times censure proponents of this position. However, by the mid-20th century a growing body of theological work and hierarchical supported this kind of position, a position that had already become prominent in international

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civil documents like the United Nations 1948 Universal Declaration of Human Rights. Most importantly, on 11 April, 1963, Pope John XXIII had declared a right to religious freedom in his encyclical On Establishing Universal Peace in Truth, *Pacem in Terris*: “Also among man’s rights is that of being able to worship God in accordance with the right dictates of his own conscience, and to profess his religion both in private and in public” (para. 14).

Space does not allow for a detailed history of these debates and the actions of Roman authorities leading up to the council. Suffice it to say that *Dignitatis Humanae* itself states, in the paragraph immediately prior to that quoted above, that “the council intends to develop [evolvere] the doctrine of recent popes on the inviolable rights of the human person and the constitutional order of society,” and includes, in the list of references to support the statement that human “dignity is known through the revealed word of God and by reason itself,” the writings of John XXIII, Pius XII, Pius XI, and Leo XIII.

“It is, however, clear that this is a development and, at a literal reading, change, and not merely a restatement of the teaching of previous popes (with the exception perhaps of aspects of Pius XII and certainly of John XXIII).” As we have seen, although Leo XIII indeed affirmed dignity and human freedom, he did not include religious freedom as a legitimate freedom. *Dignitatis*...
Humanae, by contrast, seems to argue that the teaching on human dignity and rights, which begins with Leo (who is also considered to be the start of so-called Catholic social teaching),\(^{11}\) necessitates an affirmation of a right to religious freedom.

### The Changes in Context Leading to the Development of the Teaching

Regarding the context in which the Catholic Church found itself operating at the time of the Second Vatican Council, a great deal had changed since the end of the 19th century. There is too much to detail here, but two significant features had major consequences for the global political situation and the place of religion in it.

The first is the Second World War, its terribly high loss of life, a Europe (still the head and heart of Catholic Christendom at the time) in ruins, and the efforts of the international community to found a new basis of international law that would prevent such an event from ever occurring again, culminating in the United Nations 1948 Universal Declaration of Human Rights. The second significant feature is that the world was recovering from the horrors of one totalitarianism (National Socialism) and just beginning to understand the dangers of another (Stalin’s Soviet Communism).

These two features of the mid-20th century constituted a radical shift from the challenges the church was facing in a still largely Christian and indeed monarchical Europe in the 19th century, where the direct threats were more to the Church’s temporal power by nationalists and liberals (in France and Italy, for example) than to the whole of humanity and the very legitimacy of religious faith itself. In what follows, I briefly outline two views, among others, on the changed circumstances that had an impact on the Second Vatican Council’s deliberations.

First, Kenneth R. Himes’s analysis of the Catholic Church’s political engagement highlights the changes in the political relationships between the church and states, with a consequent shift in the church’s understanding of who its dialogue partner now is. Historically, the Catholic Church has always struggled with the claims of states, headed by monarchs or otherwise, to temporal power. Both nation-states and the Catholic Church saw power in paternalistic terms (parenting the uneducated and helpless masses). The emergence of territorial churches following the treaty of Westphalia, secular states like the United States, and the anti-clericalism that accompanied the overthrowing of

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the *ancien régime* in the French Revolution (all of which continued well into the late 19th century) meant that the Catholic Church frequently responded defensively. It saw its power, which it thought was necessary to ensure the salvation of souls, being eroded and forecasted moral ruin as a result. By the end of the 19th century, some form of liberal democracy was being embraced by most European states and the United States. As a result, the Catholic Church had developed a stance that seemed strongly anti-democratic, where such democracy apparently denied that all temporal authority came from God.

The shift toward a more favorable view of democracy began with Leo XIII, though as we have seen, this did not yet extend to freedom of religion, since all authority comes from God and hence the only state religion should be Catholicism. Consequently, Leo XIII ushered in the “thesis-hypothesis” approach, in which the Catholic Church is the thesis that should be recognized by the state as the only true religion, and other religions or no religion could be tolerated if this was deemed necessary to maintain a harmonious society.

The rise of fascism and communism and the Second World War drastically changed the political landscape and hence the church’s relationship with democratic states. On the one hand, being too closely aligned with the state in some contexts meant that the Catholic Church became too close to perpetrators of the horrors of the Second World War. On the other, the democratic countries stood against totalitarianism, and secular states were more inclined to provide a legitimate role for the Catholic Church in politics, as could be seen in the rise of Christian democratic parties in Europe. These democracies did so precisely on the basis of ideas that the church itself affirmed through revelation and natural law, namely the *imago Dei*, the fundamental worth and equality of all human persons. The illiterate and poor masses in need of a parent gave way to citizens who sought participation and self-determination in a society of political equals. For Himes, then, what characterized the context of the mid-20th century was a change in the Catholic Church’s political dialogue partner from the state authority to civil society.

Second, David Hollenbach, in his analysis of the human rights tradition in the Catholic Church notes that at the Second Vatican Council, the church

12. As an illustration of this defensive approach, see Gregory XVI’s 1832 encyclical *Minari Vos*.

had come to acknowledge the plurality of human self-understandings in the post-war world. There was a new appreciation of the role of culture (including religion) and the methodological specialization of human knowledge in conditioning those self-understandings. In other words, though reason, reasoning, and freedom were and are still proclaimed as essential aspects of human nature, the church also began to accept that these were historically conditioned in different times and in different places in ways that made shared moral meanings on a global, and indeed increasingly at an intra-societal, scale difficult. The certainty that characterized the teachings of the 19th century when speaking of the ability of every human individual to access moral and religious truth was tempered by the realization that all human reason is conditioned by its context.14

Development of the Teaching: Aggiornamento and Ressourcement

The previous section characterized the change in context that affected the Catholic Church in two ways: first, a shift in the role of democracy in the world and a stronger emphasis on the dignity, equality, and political participation of all human persons; second, a new awareness of plurality and the effects of historicity in conditioning how people and societies think. It should also be noted that both of these should be seen as counters to the totalitarianisms that would either co-opt Catholicism or destroy it, as well as the horror of the Second World War.

The very purpose of the Second Vatican Council as a whole can be seen as a response to this new context. Indeed, Pope John XXIII made this clear in his decision to call the council, and this sentiment was carried forward by his successor, Pope Paul VI.15 The council has been characterized as embodying two contrasting yet complementary principles. The first, aggiornamento, meaning to bring up to date, expressed the intention of the council precisely to respond to the context of the modern world in which the church found itself.16 The second, ressourcement, denotes a movement in theology that had a significant influence on Vatican II. This movement “aimed at retrieving forgotten or neglected themes found in Scriptures, the fathers of the Church, the liturgy, and the

15. See note 1 above.
works of classic theologians.” In other words, this theological approach that defined so much of the work of the council was precisely about a retrieval of the Teaching (big “T”), so as to bring the practices of the church “up to date” in the contemporary context. In what follows, I consider some of the details of the history of the drafting of Dignitatis Humanae to demonstrate how this occurred with respect to the teaching on freedom of religion. I shall not offer a detailed history. A number of excellent studies already exist. Rather, I shall focus on how the debates evolved such that the outcome represents a contextual change or development in continuity with the deepest sense of the Teaching.

Section 1 already touched on how, leading up to the Second Vatican Council, there were those who were calling for change with regard to the teaching on religious freedom and those who were opposed. Prior to the council, the power arguably lay in the hands of those in the Roman Curia, particularly Cardinal Ottaviani. At the council, however, whilst attempts were certainly made to perpetuate this power dynamic, the very nature of the council, and the backing of popes John XXIII and Paul VI, meant that more voices were given a hearing. Given the fact that the debate had already been raging leading up to the council, it should come as no surprise that there were both advocates and opponents of a change. What is interesting to note, however, is that a simple division into two camps is not possible.

In his survey of the history of the drafting of Dignitatis Humanae, Nicholas J. Healy Jr18 notes how these camps presented themselves when various drafts of the declaration were formally presented to the council and debated.19 For our purposes, they also represent different approaches to answering the challenge of updating the church teaching in response to the changes in context that we identified above, that is, plurality and historicity, and state versus civil society.

First, there were those who had always opposed any declaration of a right to religious freedom. This group, including the Spanish bishops and their supporters in the Roman Curia, objected on the basis that the Catholic Church had never taught a universal right to freedom of religion. They reiterated the existing teaching that only the Catholic Church, as the authentic depository of truth, had any right to freedom of religion, which should accordingly be

17. Ibid., 1, 30.
19. The second draft was presented and debated 22–23 September, the almost completely revised third draft was presented on 17 November. Though a vote on the third draft was promised, it was postponed until the fourth session. The declaration was the first item on the agenda when the council met for the fourth session on 15 September 1965, and was debated until 21 September. It went through a fifth and sixth revision before it was finally formally approved on 7 December 1965.
acknowledged and protected by the state: the “error has no rights” argument. Other religions, which must, on this view, obviously be in error, could only be tolerated where this was necessary to avoid greater evil or conflict: the “thesis/hypothesis” position. They also strongly opposed the idea that the civil authority had no competence in matters of religion as the basis of a claim for freedom of religion. Their argument was that all authority, and hence the state’s authority, comes from God, and so the state, as empowered by God, is competent to affirm and protect the one true religion, the Catholic Church. In other words, this view saw plurality, historicity, and the evolution of civil society either as simply inaccurate or as threats to be curtailed. Interestingly, many of its supporters came from countries where the Catholic Church had historically enjoyed a privileged position.

The idea of the incompetence of the civil authority in religious matters was a key part of another camp’s argument in support of a universal right to religious freedom. This group, consisting of, among others, most of the bishops of the United States of America, based their argument primarily on the idea of religious freedom as a juridical concept in tune with the human rights discourse that had come to prominence in secular discourse since the end of the Second World War. According to this view, religious freedom is “a true right, having its foundation in human dignity, a right that should be acknowledged in the juridical and political structure of society, so that it becomes a civil right.” In other words, it made a distinction between the justifiable affirmation that the Catholic Church is the one true religion that all should follow, and the juridical idea that the primary function of civil authority consists in “protecting, cultivating, and defending the natural rights of all citizens.” The church, on the basis of its own affirmation of human dignity, also had an obligation to protect human beings’ genuine civil freedom. One could say then that this view sought to respond to the changed context by embracing the idea that civil society is the primary conversation partner, and accepting the historicity and plurality evident in this society as nonetheless something that should be protected for the good of the society and the human person in it. In a way, one could argue that this position emphasized a certain interpretation of aggiornamento to the point that some saw this as giving too much away to “the modern world.”

A third view, whilst in favour of the idea of a right to religious freedom, was therefore suspicious of this overly juridical argument. This group, whose

21. Ibid, para. 2.
22. Ibid, para. 3.
concerns were voiced largely by the French bishops, wanted the right to religious freedom to be more firmly grounded in scripture and the theological tradition. In contrast to the previous position, this position echoed the methodology of the *ressourcement* theologians that was influential in much of the council. We could say that this view deals with historicity and plurality by plumbing the riches of the Catholic tradition to more adequately address this context, whilst doing so in a more nuanced manner than the first position. In other words, this position resisted a simple restatement of what has gone before and sought to allow the tradition to speak to the context in a more dialogical way.

As deliberations continued, the need to more thoroughly ground religious freedom theologically won through. According to Healy, the interventions of Bishop Karol Wojtyła (the future Pope John Paul II) and Bishop Ancel of Lyon were instrumental in providing the theological argument that grounded the idea of freedom, and hence freedom of religion, in the very idea of truth itself. According to Wojtyła,

> When dealing with religious freedom in the first sense, the ecumenical sense, we need to emphasize more strongly the connection that exists between freedom and truth. On the one hand, freedom exists for the sake of truth; on the other hand, without truth, freedom cannot achieve its own perfection. Hence the words of our Lord, which sound so clearly for every man: “The truth will set you free.” There is no freedom without truth.23

According to Ancel,

> The obligation to seek the truth is itself the ontological foundation of religious freedom . . . For in fact every man is bound to seek the objective truth, and to hold fast to it and order his whole life according to its demands. All those who seek truth and justice with their whole heart, even non-believers, can agree with us on this principle. On the other hand, because it does not have its foundation in any subjective disposition, but in the very nature of man, this principle has a strictly universal validity. Ultimately, this principle is explicitly affirmed by Scripture in numerous ways.24

Ancel goes on to argue that freedom of religion is necessary in order for human beings to fulfil this obligation to seek the truth in a manner willed by


God, that is, they must be psychologically free, and free from any coercion. Moreover, since the argument was grounded in the very idea of the objective truth, it could not be said to be supporting any kind of indifferentism or subjectivism, which are condemned in historical Catholic teaching.

These ideas eventually become incorporated in the paragraphs of *Dignitatis Humanae* quoted in Section 1 above. The development that took place in *Dignitatis Humanae*, in light of the new awareness of plurality and historicity, was an acknowledgment of the importance of freedom of conscience and its relationship to human dignity. Acknowledging a plurality of human self-understandings and the role that culture, etc., plays in conditioning these means taking seriously conscience as a person's subjective relationship to the objective moral truth that grows and matures in the truth over time through free human acts. This is the *aggiornamento* with respect to freedom of religion.

The idea that the human person has dignity, has a conscience, is free, and is called by God to communion with God and to do the will of God is not new. What is new is the way that this is made “up to date” in a manner that fits the context of the time. In that context, where plurality and historicity are inescapable realities, a new way of speaking about each human’s relationship to the objective truth of God becomes necessary, a manner of speaking that undermines neither the claim that there is an objective truth, nor the claim that every person has dignity, even if he or she errs in the pursuit of that truth. As Pope Benedict XVI observed in 2012, whilst advocating religious freedom and not just religious tolerance, just as there is no freedom without truth, there is no truth without freedom: “Truth can only be known and experienced in freedom; for this reason we cannot impose truth on others; truth is disclosed only in an encounter of love.”

David L. Schindler has observed that the development that takes place in *Dignitatis Humanae* is profoundly theological, and lies precisely in the church’s deepening or drawing out of the relationship between human nature, especially reason and freedom, and truth. The church must recognize freedom of conscience and religious freedom, especially in light of a new awareness of plurality and historicity, precisely because of its own theological understanding (enhanced by the *ressourcement*) of the aforementioned relationship. According to Schindler:


26. Gerald O’Collins points out three aspects of retrieval with respect to *Dignitatis Humanae*, (i) recent popes as far back as Leo XIII in paras. 2–8, (ii) the New Testament in paras 9–15, and (iii) four fathers of the church and two medieval popes as part of the theological defence of religious freedom. O’Collins, *The Second Vatican Council*, 38–39,
Entry into the truth realizes the subjective-interior free act of man which by nature is made-for-truth, even as the realization of truth takes place only via this subjective-interior free act. The development of doctrine in *Dignitatis Humanae* thus consists in a deepened sense of the demand of truth itself for freedom, as the inner condition and form of truth’s own proper realization.\(^{27}\)

**Conclusion**

This paper has analyzed the Second Vatican Council’s Declaration on Religious Freedom, *Dignitatis Humanae*, and particularly its declaration of a right to freedom of religion, as an example of change in moral teaching in the Roman Catholic Church. From the outset, at stake has been the very notion of change. What the analysis of the changes in context between the 19th century and the mid-20th century, and of the various arguments adopted by key protagonists in the debates at the council, show is that literal changes in teaching do occur. What the analysis further suggests is that when they occur, they may be in response to changes in the context in which the church community finds itself. Moreover, valid changes are nonetheless deeply rooted in the truth of revelation and tradition, such that these changes constitute an expression of the Teaching, that is, the whole of the received revelation and tradition, more proper to the historical circumstances of the time.

This analysis is supported by Pope John Paul II’s own treatise on moral theological method in his 1993 encyclical *Veritatis Splendor*. According to John Paul, the church is a living tradition that is rooted in revelation, such that “the authentic interpretation of the Lord’s law develops.” This development entails communicating and putting into practice, in different times and places, that which has been revealed. “This constant ‘putting into practice’ of the commandments is the sign and fruit of a deeper insight into Revelation and of an understanding in the light of faith of new historical and cultural situations.”\(^{28}\)

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11. From Passive Nonresistance to Active Nonviolence

A Change in the Mennonite Tradition

Anne-Cathy Graber

Brief Preliminary Remarks

The Mennonite tradition is known for its commitment and efforts to promote peace. In fact, this commitment is an “identity marker” (both personal and ecclesial) enshrined in the first Mennonite confession of faith, the “Schleitheim Confession.” However, this identity marker underwent significant change during the 20th century. Mennonite leaders themselves speak of an “ethical and theological conversion”¹ with regard to this key tenet of their ecclesial affiliation.

This change concerns the doctrine of “nonresistance” enshrined in the Schleitheim document of 1527, an Anabaptist confession of faith drafted and chosen at the first Anabaptist synod: “. . . will also be removed from us, by the power of the word of Christ (which says) ‘do not resist an evil person’ [Matt. 5: 39], the diabolical weapons of violence, such as swords, armour and other similar things, with all their uses” (Article 4).² This principle of nonviolence established as the very principle of Christian life was associated with that of “nonconformity to the world,” that is, the choice of using means other than

¹. Leo Drieger and Donald Kraybill, Mennonite Peacemaking: From Quietism to Activism (Scottdale: Herald Press: 1994), 54.

². The Schleitheim Confession, Article 4. See in: One Lord, One Church, One Hope, and One God. Mennonite Confessions of Faith, Text Reader Series 7, ed. Howard John Loewen (Institute of Mennonite Studies, 1985), 80. It will be noted that this passage is one of the first confessions of faith of the Reformation or one of the first synodal processes of the Reformation. This principle was confirmed by the Dordrecht Confession of Faith, which was also emblematic for the Mennonite tradition. See ibid., 68. See also: Harold Bender, The Anabaptist Vision (Scottdale: Herald Press, 1944).
power and strength. This also led to a clear separation between the church and political power.

Yet the most recent Mennonite confessions of faith or ecclesial declarations indicate that this tradition has shifted from nonresistance (that was still vigorously reaffirmed in the late 19th and early 20th century) to active nonviolence. Of course, this reflects more than a simple change of vocabulary. What does this new wording mean, and what does it reflect in terms of ethical choices? What factors were behind this ethical shift?

This change took place over approximately a century: from the First World War to the end of the 20th century. As much as possible, I shall report on “key moments” in chronological order: even though this is not always linear, the change involves a process that benefited from very different factors (both doctrinal and nondoctrinal) that I shall attempt to identify.

The World Wars: Two Triggers and Three Turning Points

In the 19th and the early 20th centuries, the main principle of the Mennonite doctrine was largely summed up by the expression, “the Gospel of nonresistance” (humility, rejection of violence, refusal to bear arms, etc.). Mennonites were viewed as “die Stille im Lande” (the quiet in the land) and their rejection of military service was usually accommodated. But the “Great War” caught American Mennonites by surprise and “delivered a major shock to Mennonite identity.” American civil authorities henceforth viewed nonresistance as

3. This also explains the choice to share goods, community life, etc., which has led some historians to say that the Anabaptist-Mennonite tradition was an attempt at a “different monachism” within the Reformation.

4. It was this precise point that led many to view the Mennonites as “seditious” and “subject to the death penalty” in the 16th century and thereafter, resulting in severe persecution of the Anabaptist-Mennonites by both the Lutherans and the Catholics. Indeed, neither Catholics nor Lutherans made a distinction between violent Anabaptism (among the “Schwärmer”) and nonviolent Anabaptism (the Mennonites). Both viewed the Anabaptists as responsible for the “Peasants’ Revolt and the Munster drama or scandal (1534–35). Anabaptism became a crime punishable by death in 1529 through the empire and was classified as heresy at the Council of Trent. One may speak of the massive rejection of Anabaptism (then the Mennonites): several thousand were killed, including the main founders, and the others fled. In the centuries that followed, the history of the Anabaptist-Mennonite martyrs, faithfully narrated in each family, was instrumental in strengthening the identity of a “separated, alone” people who “did not resist an evil person,” according to Matthew 5:39.

5. In my reflection, I speak of the “Mennonites” who belong to the Mennonite World Conference and primarily those of North America. Where they have an influence on Europe, this is mentioned.

cowardice, and from 1917 onwards, a great many Mennonites who refused to take up arms were court-martialed and imprisoned. It became clear that Mennonite leaders were not prepared to support and cogently defend the doctrine of nonresistance. They used an “older language of submission, suffering, meekness, and humility,”7 which, in this context, was no longer meaningful or relevant to anyone.

It was in such a context of war, and especially during the interwar period, that Mennonite historians distinguish a period marked by three changes in Mennonite tradition. Each of these changes in its own way challenged and shifted the Mennonites’ way of seeing things and thinking. As such, they were seen as challenges or even contradictions as far as the Mennonite teaching on nonresistance was concerned.

First of all, it should be noted to what extent this interwar period reflected a change in lifestyle for the Mennonites, primarily due to industrialization. There was a transition from rural “brotherly communities” to a more urban lifestyle. One of the consequences of this rural exodus was that the new generation started to receive a university education. As was only logical, the Mennonites thus had to cope with more complex situations and questions (social, human, political, etc.) and assume the role of a diaspora.

The second point is that the confrontation with the complexity of contemporary society that challenged Mennonite tradition was reinforced by the establishment, in 1920, of the Mennonite central committee (MCC), “a relief, service and peace agency.”8 Relief workers were confronted with famine and refugee displacement, which were also complex consequences of injustice, war, and so on. It should be noted that the majority of theologians I shall refer to were themselves humanitarian workers in this relief organization, a sign of the link between social and humanitarian questions and the transformation of theological thinking. During this same period, after noting the lack of training in the field of peace education, several associations of Mennonite churches9 created local “peace committees” and “committees on nonresistance” to fill this gap.

Finally, the third point is the organization, between 1922 and 1931, of several gatherings and conferences between pacifist churches involving the Quakers, the Mennonites, and the Brethren. The meetings and discussions

7. Ibid., 65.
8. The MCC was initially a relief organization, with the explicit dimension of work to promote peace only appearing later, in the 1940s.
9. Mennonite Churches (Old Mennonite Church), General Conference Mennonite Church, Mennonite Brethren.
highlighted the need to define the word “nonresistance,” in particular its “passive” dimension: how could it be an adequate response in the face of violence? These meetings were heavily criticized by conservative Mennonites, who feared that such an approach would lead to what they viewed as “liberal pacifism.” In their view, this implied pacifism that was “detached” from scripture (as we shall see further on), that is, pacifism that was “politically activist.” Nevertheless, such meetings officially gave rise in 1935 to the Historical Peace Churches. In fact, “their new understandings of peacemaking were surely shaped by ecumenical influences.” This will be confirmed, as we shall see further down.

Yet despite these efforts and this newfound awareness, on the eve of World War II, “Mennonites still lacked a definitive treatment of their peace-related beliefs.” This is illustrated by the fact that at the time, 50 percent of Mennonites opted to enroll in the army (above all in Europe). Mindful of the problem, Harold Bender, then the chairman of the Mennonite Church Peace Problems Committee (one of the most important entities for this topic), asked on 14 April 1937, that a “peace study book” be prepared. Mennonite theologian and historian Guy Hershberger (1896–1989) was finally commissioned to write this book. War, Peace, and Nonresistance was published in 1944 and acted as a benchmark in the transformation of efforts to promote peace in the Mennonite tradition with its principle of “biblical nonresistance” up until the 1960s.

“Biblical Nonresistance” and “Nonviolent Resistance”: Two Expressions in Tension

Hershberger was asked to analyze the differences between “biblical nonresistance” and “modern pacifism.” Paradoxically, his book called into question conservative Mennonites (at least in part) while reassuring progressives (but only initially). Hershberger sought what he called a “single moral law” that was included in the scripture as a whole and reflected the will of God. He argued that peace was this “fundamental law of God that has been and remains valid for all time.” This law was included in the scripture as a whole: the wars in the Old Testament could not contradict it, and the Sermon on the Mount was not

10. “The loose partnership between the three groups was revitalized in 1976 when the Mennonites, Brethren, and Friends joined together in a ‘New Call to Peacemaking’, which held three national conferences in 1978, 1980, and 1982”: see Drieger and Kraybill, Mennonite Peacemaking, 145. See also: Marlin E. Miller and Barbara Gingerich, eds., The Church’s Peace Witness (Grand Rapids: Eerdmans Publishing, 1994).
12. Ibid., 71.
13. Ibid., 75.
for an eschatological future but indeed for “our time” (thereby reassuring the progressives). Thus, in this case, choosing peace was not only an ethical option but was part of God’s very being and the very being of Christian existence. In this respect, Hershberger confirmed the first Mennonite confessions of faith and reassured conservatives and progressives alike.

Yet his insistence on peace as a single moral law went hand in hand with the affirmation of the duality between the kingdom of God and that of the world and contained a rejection of all resistance deemed “coercive,” thus contrary to the gospel. He drew the following conclusions: “The outlook of the New Testament is entirely unpolitical . . . unconcerned about the political questions of the day.”14 A Christian “could render society a greater service by remaining aloof and living a life of genuine nonresistance than by being politically active where sooner or later he must sacrifice or compromise this principle.”15 Several theologians have noted that the word “compromise” is not welcome in Hershberger’s thinking. He prefers the word “suffering” (in the name of obedience to Christ), which appears over 70 times in his book.

“Nonresistance” remains an “emotive word” for Mennonites at the time: thus, by stating that “one cannot be resistant and nonresistant at the same time,”16 Hershberger turns this word into a “marker” of this tradition, clearly distancing himself from nonviolent resistance like that of Gandhi, “very prominent” during this period. However, it would be a bit caricatural to say that Hershberger failed to incorporate social justice into his theology. In his view, the biblical emphasis is on “doing justice” rather than “demanding justice”17 through provocative acts: hence his clear preference for “biblical nonresistance” rather than “nonviolent resistance.”

Two strong tensions emerged within Mennonite churches at the time, which may be summed up as follows: “two incipient understandings of Mennonite peacemaking vied for dominance during this period. A ‘politically reformist pacifism’ with an activist bent was contending with a ‘chialiastic separatist nonresistance’ articulated by those with fundamentalist sympathies.”18

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15. Ibid., 198.
16. Ibid., 191.
17. Ibid., 216.
The Transition to “Active Nonviolence”: A Different Reading of the Sermon on the Mount

Several young Mennonite theologians came on the scene in the early 1950s, in particular an informal group of young American Mennonite graduate students, relief workers, and missionaries: the Concern Group. They drafted a series of pamphlets as a reaction to not only the founding principles of the Mennonite tradition but also Niebuhr’s criticism. One of the participants, the theologian John Yoder (1927–97), asked the following question: “How can a Christian pacifist stand by if a neighbour is suffering from violent abuse by another?” The pamphlet was meant as a response to the criticism of Niebuhr, who had stated that “pacifists were irresponsible in relation to their suffering neighbors.” For Yoder, the real responsibility was “the daily discipleship” because “it can open up otherwise unavailable options for peacefully mediating conflict in relationships with our neighbors.”

Yet Yoder’s answer to Niebuhr was judged overly simplistic by J. Lawrence Burkholder (1917-2010), another Mennonite theologian. Burkholder based his stance on his experience as a relief administrator and pilot during the Chinese civil war, when he would fly over the Himalayas to deliver supplies to Chinese refugees. Burkholder’s time and work in China shaped him in significant ways: “I came out of a background of simplicity. Now I was discovering complexity and ambiguity, and sometimes tragic necessity,” he said in a 2004 lecture. In his view, the Mennonites needed a theology “that could speak to tragic situations where no choice is ‘good’ or seems ‘Christ-like’ or exemplifies ‘nonresistance.’”

Even though at first (in the early 1950s), Yoder, like many others, adopted the language of nonresistance, vocabulary used by Hershberger, he took a step back from 1960 onwards. The Mennonites gradually realized that the concept of nonresistance could fuel passiveness with regard to social justice and relations with others. The main idea clearly became that one should not work for peace without working for justice: “Christians should not use violence to bring about just ends, but increasingly emphasize the importance of pacifist Christians

19. Twenty years after his death, J. Yoder, who taught at University of Notre Dame, lost much of his credibility due to inappropriate conduct and sexual aggression (which was incredible for a nonviolent militant). However, it is impossible not to reference him, as his writings helped drive a real change in the understanding of work for peace.


22. My emphasis.

being proactive in addressing the causes of injustice before the only remaining alternative is the “necessary” and tragic use of violence.”

A seminal work was *The Politics of Jesus*, where Jesus was described as “a model of radical political action.” Yoder proposed the following shift: “The paradigm shift cast the spotlight away from Jesus’ nonresistant posture in front of the cross to the activism of his life that triggered the cross.” Jesus was the one “who modeled active nonviolent engagement with political power, marking an interpretative shift from an apolitical to a politically relevant, though nonviolent, Jesus. This Jesus called for economic justice and gender relations characterized by respect for the other--both of which address some of the root causes of ongoing violence.”

Another Mennonite theologian, Gordon D. Kaufman (1925–2011), who taught at Harvard Divinity School, also called for a theology and a nonviolent ethic centred on engagement with the world. In 1961, he wrote a book for Mennonites in which he described the consequences of loving one’s neighbour. Rather than avoiding situations where evil and violence were expressed, what mattered now was choosing to enter such situations and take risks:

No Christian has the right to avoid “dirty” situations which might soil his hands or wound his person. If it is thought that politics or war are sinful and evil situations, it is precisely there that the Christian is required to go with his ministry of reconciliation . . . In sharp opposition to any strategy of withdrawal – which is usually motivated by the kind of love known to the publicans and Gentiles – Christian love always takes responsibility for the sinful situation.

Gordon D. Kaufman systematically linked nonviolence and the concept of “responsibility.” As he saw it, responsibility included “not only walking nonviolently into the heart of evil for a neighbor’s sake but also supporting others even when in good conscience they do what you think is wrong – for example, if they decide they should join the military.”

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24. Ibid., 82.
These three theologians summed up in their own way the transition between passive nonresistance and active nonviolence. They made this shift possible in particular by breaking out of a binary choice: “God or the world.” Nonresistance, which went hand in hand with the witness of a church separated from the world, prevailed until the early 1950s then lost its legitimacy, due above all to a different reading of the scripture. For example, in the reading of the Sermon on the Mount in Matthew 5, the emphasis that had been unilaterally placed for centuries on verse 39 (“do not resist an evil person”) was shifted to verse 9 (“Blessed are the peacemakers”). In addition, the message of the Old Testament prophets in favour of social justice was highlighted: “The prophets exemplified how God’s love confronts injustice.” Likewise, Shalom “became the operative word for a new vision of Mennonite peacemaking,” because it combined peace and God’s justice and because it ran through both the Old and the New Testament.

The Contribution of Ecumenical Meetings: Leaving the Binary Logic of the “Two Kingdoms”

Ecumenical gatherings for peace initially brought out the strong tension between two Mennonite currents (conservatives and liberals). In 1951, H. Bender told Visser’t Hooft, the then Secretary General of the World Council of Churches (WCC), that he deemed it impossible “for the Mennonite Church to cooperate in a joint statement with the Friends, who both supported more active resistance to governmental policies than the Mennonites found acceptable, and were more liberal in their theological views.” Other WCC leaders, such as Paul Peachey, wrote exactly the opposite.33 Shortly thereafter, the ecumenical conferences in Puidoux, Switzerland (four meetings between 1955 and 1962), albeit little known, were significant

30. Driedger and Kraybill, Mennonite Peacemaking, 152.
33. This followed the process initiated by the World Council of Churches and the document, “War Is Contrary to the Will of God.”
34. The meeting participants were church leaders and theologian-researchers, members of the Historic Peace Churches and members of other official Protestant churches. At the first meeting, the 27 participants came from Germany, France, Netherlands, Italy, Japan, Great Britain and the United States. Subsequently, the Third Conference was attended by over 80 participants from some 30 countries, including several Eastern European nations.
in that they provided an opportunity to escape the binary logic of the “two
kingdoms,” as their theme was “The Lordship of Christ is over the state.” If the
lordship of the risen Christ was exercised over “powers and principalities,” this
required believers to display an attitude of commitment, of risk-taking toward
the state:

This concept of the lordship of Christ over the state, calling for a Christian
response of discipleship, including witness to the state, found room for a
hearing in both Protestant and Anabaptist traditions and provided common
ground for dialogue. The church was seen as the central bearer of God’s pur-
poses in history, with the state existing to make this possible.35

Moreover, these discussions took place against the backdrop of the Nazi
holocaust and the silence of the German churches: thus, a keen awareness devel-
oped of the importance of the link between witness and responsibility of the
church in its relations with the state and politics. Furthermore, at the same
period (from 1954 onwards), the MCC was administering a relief programme
in Vietnam. The escalation of the war and the violence in Vietnam, together
with the civil rights movement, also challenged the Mennonites: “Mennonites
must find a way of engaging in social protest that will be acceptable to a peace-
loving people.”36

As we have just seen, the principle of nonresistance, a key tenet of Men-
nonite thinking and practice, was called into question by certain political and
social events of the 20th century, missionary or social aid experiences, and ecu-
menical gatherings. Although these were given due consideration by theolo-
gians and relief or missionary programs, how were they reflected in the official
statements of the Mennonite churches?

36. Ibid., 63.
In 1983, an official statement described as a “landmark in the heritage of nonresistance”38 was adopted by the General Conference Mennonite Church.39 This declaration, which was called “Justice and the Christian Witness,” no longer used the vocabulary of “passive nonresistance” apart from a single, “diluted” example (in the phrase “the biblical way of nonresistance, peace and love.”40) The vocabulary register was quite different from the traditional language of nonresistance.41

The statement overflows with strident language – radical witness, constructive confrontation, assert, empower, act, do, participate, challenge, nonviolent protest, and peacemaking. This was modern language that rang with rationality. Mennonites were taking initiatives, employing strategies.

Turning their backs on passive nonresistance, they were appealing to the politics of Jesus to “confront the principalities and powers.” “In Jesus we see . . . a love which is far from passive but is active and aggressive.” Moreover, “making peace is not always peaceful . . . the quest for peace with justice . . . can make people angry and upset . . . concern for the neighbor in some circumstances, therefore may call for public protest . . . or other controversial actions,” including “nonviolent protest.” Nonviolent protest, on the margins in the late sixties, now was receiving the blessing of official bodies.42

In this statement, one may discern four distinctive marks of the description of work for peace. The first, which we have just seen, is clearly the mark of

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37. Here, we come up against an ecclesiological issue that we cannot take up in detail: the Mennonite churches are between a synodal system and a congregationalist systems. As a result, the supra-local link functions differently from other ecclesiological system. For example, as far as international official statements or confessions of faith are concerned, their adoption by the body of local Mennonite churches is neither evident nor automatic. But we have chosen statements for which there was (near) unanimity.

38. Driedger and Kraybill, Mennonite Peacemaking, 151.

39. These two organizations represent the majority of Mennonites in North America.

40. Driedger and Kraybill, Mennonite Peacemaking, 151.

41. It is interesting to note that this change in language also occurs in Mennonite official reviews and encyclopedia. For example, the difference is clear in The Mennonite Encyclopedia between 1955 and 1990. In 1955, the word “nonresistance” appears 18 times, whereas in 1990 it only appears twice. In 1955, “civil disobedience,” “political activities,” and “social justice” each only appears once, while in 1990, each appears over ten times.

42. Driedger and Kraybill, Mennonite Peacemaking, 151.
the activist dimension. The second is holistic, that is, it incorporates both the political and economic domains. The official statement endorses the renewed reading of scripture that we mentioned above (see Matt. 5:9 rather than Matt. 5:39; the Shalom of God; the importance of the prophets, etc.). The third mark is the external focus of nonviolence: the goal of nonviolence is not the perfection of the believers or the holiness of their behaviour. Rather, its goals is the restoration of justice, of the Shalom of God: “Mennonite followers of Christ were called to ‘strengthen the rights of the poor and powerless’. The statement gives explicit guidelines for participation in and witness to ‘secular structures’. In all these ways the spotlight of Mennonite peacemaking had shifted beyond the Mennonite fold.”\(^{43}\) The fourth mark is the systemic understanding of the work for peace that must dare to confront and denounce “structural or institutional injustices.”

This official statement of 1983 was followed by a Mennonite confession of faith in 1995 that was adopted by not only the largest Mennonite churches in North America but also by the Mennonite churches of Europe. As far as peace was concerned (Article 22), it endorsed the statement of 1983 (there can be no peace without justice). The Shalom of God was spelled out: peace did not mean the absence of conflict, but rather the global restoration of human beings and the integrity of creation). However, we feel that certain additions are worthy of note. The Confession of Faith emphasized Christ’s “ministry of reconciliation,” a ministry to which we must also commit ourselves. It specified the places of violence we must combat today: “We bear witness against all forms of violence, including war between nations, hostility between races and classes, ill-treatment of children and women, violence between men and women, abortion and the death penalty.” As for nonresistance, this expression was indeed used (sparingly, to be sure) but was followed immediately by its meaning deliberately viewed as active and positive: nonresisting did not mean “not doing,” but rather “giving one’s life freely” or “confronting evil.”

The last official ecclesial statement was drafted following a world gathering of all Mennonite churches in Pasadena in 2006\(^ {44}\) and adopted by the general council. Written in the form of a confession of faith, it proposed seven “Shared Convictions” and laid claim to the Anabaptists of the 16th century: “In these convictions we draw inspiration from Anabaptist forebears of the 16th century, who modelled radical discipleship to Jesus Christ. We seek to live and proclaim the good news of reconciliation in Jesus Christ.”\(^ {45}\) While harking back to the 16th century, this statement abandoned once and for all the theme of passive

\(^{43}\) Ibid., 152.

\(^{44}\) “Shared Convictions,” Mennonite World Conference website, https://www.mwc-cmm.org/article/shared-convictions

\(^{45}\) Ibid.
nonresistance for that of reconciliation. The language register was dynamic and linked “renunciation” to “a search for justice and service to others”:

> The Spirit of Jesus empowers us to trust God in all areas of life so we become peacemakers who renounce violence, love our enemies, seek justice, and share our possessions with those in need . . . As a world-wide community of faith and life we transcend boundaries of nationality, race, class, gender and language. We seek to live in the world without conforming to the powers of evil, witnessing to God’s grace by serving others, caring for creation, and inviting all people to know Jesus Christ as Saviour and Lord.46

Concluding Remarks

At the end of this journey detailing an ethical change on a fundamental (because structuring) point of Mennonite theology and practice, I offer several concluding remarks.

The role of “bodies outside” Mennonite tradition

Mennonite tradition was challenged on a point that concerned its original confessions of faith (Schleitheim, Dordrecht), hence the very roots of its identity. One could not find a more sensitive point. It is remarkable to note that the productive challenge (behind this change) came from what was furthest from Mennonite tradition: the world, modernity, and ecumenical gatherings. By questioning the relevance of this “identity word” (that is, nonresistance), these outside bodies gave Mennonite tradition an opportunity to revisit and reinterpret its own identity and to dare to make a significant change in favour of active nonviolence. In particular, these outside bodies made possible a break with a binary vision of “God or the world.”

The linkage between “humanitarian mission” and “theology”

The main theologians who helped move this question forward and who participated in this change were all relief workers (especially in the MCC): theological work (on this specific point in any case) was systematically linked to mission and humanitarian service. In my view, this indicates an absence of a “divorce” between intellectuals, missionaries and church leaders “in the field” (which does not imply an absence of tensions, which was often keen). This probably also helped to overcome the strong tension between conservatives and liberals (progressives). Particular note should be taken of the choice that prevailed in fine

46. Ibid.
(in the Confession of Faith of 1995): maintaining the expression nonresistance (which was important because it figured as a “key” in the first Anabaptist-Mennonite confession of faith of Schleitheim) while also putting forward “another” meaning and in addition removing its limiting nature by inserting it into a broader biblical vocabulary on nonviolence.47

**Involvement of local realities in the process of change**

The establishment of local realities (notably peace committees) made it possible to avoid restricting the debate to national or international leaders. It also provided a means of welcoming and appropriating another set of hermeneutics from the scripture (a less selective reading of the Sermon on the Mount, the role of the prophets, and the Shalom).

These three remarks, read and understood together, not only enabled a doctrinal change that is now officially included in Mennonite official statements, but also made possible the development and diversification of the practice of active nonviolence.48

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48. For example, the Victim Offender Reconciliation Program, which focuses on restorative justice, which seeks to bring victims and criminal offenders together for reconciliation and healing. Offenders typically agree to make restitution directly to the victims of their crimes. Other examples are the Christian Peacemaker Team, which sends small teams trained in nonviolence into conflict zones, and the MCC’s Office on Crime and Justice and Committee on Women’s Concerns.
12. Is the Participation of Christians in War Ethically Acceptable?

An Orthodox Approach on the Basis of Two Patristic References

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War is a rather common phenomenon in the history of humankind, observed in all eras and in almost all regions of the earth. Though all human activities are recorded throughout history, amongst which are some brilliant achievements of the human spirit, war always holds a prominent place, not just because it is an almost diachronic phenomenon, but mainly because history itself and its division into periods are shaped by its outcome. In this sense, Heraclitus’s well-known quotation that war is “the father of everything”\(^1\) seems to be quite reasonable.

On the contrary, for the church, the father of everything is none other than the God of love and peace.\(^2\) War is considered, from the Christian perspective, as a tragic consequence of the fall of human beings, who were created to live in love and peace. When humans are isolated from God, who is the archetype of their existence, they inevitably drown in devastation.\(^3\) War never stops being essentially immoral since it forces upon the persons who participate the tragic and unavoidable necessity of “the evil of one human being, created in the image of God, ending the life of another human being, who bears the same image.”\(^4\) Some of the main causes of war can be found in the insatiable desire of people and nations for power and sovereignty, the sin of greed, and the inability

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2. “Finally, brothers and sisters, rejoice! Strive for full restoration, encourage one another, be of one mind, live in peace. And the God of love and peace will be with you” (2 Cor. 13:11).
to settle disputes in a spirit of justice and respect. As Saint John Chrysostom writes, “There is nothing that causes such great struggle and war, as the excessive desire for present material things, as the desire for glory or money or pleasures.”

Christ denounces every violent activity. He goes far beyond the Old Testament commandment “Thou shalt do not murder,” complementing it with commandments such as “But I tell you, do not resist an evil person,” and, “If anyone slaps you on the right cheek, turn to them the other cheek also.” He thus sets nonviolence, nonresistance, and universal forgiveness as crucial points of his teaching. In order for Christians to participate in the kingdom of God, they are commanded to not retaliate against an evil deed or injustice, but to endure through love, show mercy, and grant forgiveness. In the gospel there is no place for violence, injustice, and hate, since those are inconsistent with the virtues that lead humans toward their eternal goal and destination, which is *thesis*, since all human beings are called to become by grace all that God is by nature. War, therefore, is a denial of Christ’s commandments of nonviolence, especially since he teaches humans to “love your enemies, do good to those who hate you, bless those who curse you, pray for those who mistreat you.”

Moreover, the moral standards that direct and guide human behaviour and actions toward other people under regular circumstances are arrested and put aside during war. People explicitly enter into a relationship with other people in which few, if any moral claims upon their behaviour are recognized by their

5. “Οὐδὲν γὰρ οὕτω ποιεῖ μάχην καὶ πόλεμον, ὡς ὁ τῶν παρόντων ἔρως, ὡς ἡ δόξης, ἡ χρημάτων, ἡ τρυφῆς ἐπιθυμία,” Εἰς τὸν ΡΙΘ΄ Ψαλμόν, 3, PG 55, 343.

6. “You have heard that it was said, ‘An eye for an eye and a tooth for a tooth.’ But I say to you, Do not resist an evildoer. But if anyone strikes you on the right cheek, turn the other also; and if anyone wants to sue you and take your coat, give your cloak as well; and if anyone forces you to go one mile, go also the second mile. Give to everyone who begs from you, and do not refuse anyone who wants to borrow from you (Matt. 5:38-46).

7. “But I say to you that listen, Love your enemies, do good to those who hate you, bless those who curse you, pray for those who abuse you. If anyone strikes you on the cheek, offer the other also; and from anyone who takes away your coat do not withhold even your shirt. Give to everyone who begs from you; and if anyone takes away your goods, do not ask for them again. Do to others as you would have them do to you. If you love those who love you, what credit is that to you? For even sinners love those who love them. If you do good to those who do good to you, what credit is that to you? For even sinners do the same. If you lend to those from whom you hope to receive, what credit is that to you? Even sinners lend to sinners, to receive as much again. But love your enemies, do good, and lend, expecting nothing in return. Your reward will be great, and you will be children of the Most High; for he is kind to the ungrateful and the wicked. Be merciful, just as your Father is merciful” (Luke 6:27-36).

opponents. Furthermore, everyone would agree that war is immoral from the point of view of its consequences. It is not only a spiritually and emotionally shattering experience for those who take part, but is also inevitably tied to abuse and injustice, especially for noncombatants and civilians. However, even though the ethical assessment of war from a Christian point of view is clear and easy, given that war is obviously evil, the assessment of the participation of Christians in war can be more complicated.

In the early centuries, Christians, being a religious minority, had the choice of serving the Roman Empire by praying, while the nonfaithful fought in wars, mainly defensive of the empire’s borderlines. This situation allowed Christians to walk the pacifist path, since they could easily afford to embrace the absolute standards of not taking a human life. However, the rapid change in religious demographics following Constantine’s conversion, making the Roman Empire predominantly Christian, consequently changed the social reality of the Christian citizens regarding their participation in war. Being the majority, Christians were called to take part in warfare, especially since it was a hard political necessity for the eastern Roman Empire, mainly to protect the borders from the constant attacks of nonbelievers.

So, the pre-Constantinian stance toward participation in war needed to be re-evaluated, forcing Christians to sacrifice the nonresistance dimension of the Christian commitment in order to defend their own or their loved ones’ lives, to protect the weak, to defend the innocent, to fight for the desire for freedom and of course in many cases to serve the economic and geographical interests of the empire. Thus, even though it is unambiguous that war, from a Christian point of view, is immoral, the participation of Christians in warfare seemed to be necessary. For this reason, it is not incidental and random that in this period the fathers of the church started formulating their positions toward war and Christians’ participation in it.

In this study, we will not present in detail the positions of the fathers of the church on the participation of Christians in war, but will limit the examination to two patristic passages, one by St Athanasius the Great included in his Letter to Amun and one of St Basil the Great, in his letter to Amphilochius, the Bishop of Iconium. These passages are particularly important, not only because they come from two of the most authoritative fathers, denoted as “the Great” by ecclesiastical tradition, but also because their content was universally accepted by the consciousness of the church. This is confirmed in the most formal way, since they were recognized by the Quinisext Ecumenical Council as canons of

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the church. Therefore, the great effect they have had on later patristic thought is entirely understandable. Apart from their authority as canons and their importance in shaping the church’s position, the two passages are also connected internally, since it seems that St Basil knew the relative passage of St Athanasius. His reference to the earlier fathers’ views that killing during war differs from other forms of murder is a strong indication that he knew the position of St Athanasius. In the following analysis, we cite these passages and present the way they were conceived by modern Orthodox theology. It is worth mentioning that they have been used to support both the view that the participation of the faithful in war is morally accepted as a virtuous act and the view that it is tolerated as a lesser and necessary evil. The analysis of the topic ends with the formulation of our personal view.

**Interpretation of the Passage of St Athanasius**

St Athanasius in his letter to the monk Amun addresses the issue of involuntary nocturnal emissions. Having expressed the position that everything created by God is useful, pure, and does not involve anything evil, he explains that an act is ethically evaluated in conjunction and for the purpose for which it is performed. As an example, he refers to murder, which, while condemned by Christian ethics, is considered legitimate and commendable when carried out in the context of war. This is the reason why monuments are raised in honour of the fallen. The exact wording of the father is as follows:

> It is not permitted to murder, but in war [it is] both lawful and praise worthy to destroy the opponents. Thus at any rate, those who are bravest in war are also deemed worthy of great honours, and monuments of them are raised proclaiming their accomplishments. So the same act, is not permitted under some circumstances and at some times, but, under appropriate circumstances and opportunities can be absolved and forgiven.

11. “Οἷον φονεύειν οὐκ ἔξεστιν, ἀλλ᾿ ἐν πολέμῳ ἀναιρεῖν τοὺς ἀντιπάλους, καὶ ἐννομον καὶ ἐπαίνου ἄξιον. Οὕτω γοῦν καὶ τιμῶν μεγάλων οἱ κατὰ πόλεμον ἀριστεύσαντες ἀξιοῦνται καὶ στήλαι τούτων ἐγείρονται, κηρύττουσαι τὰ κατορθώματα. Ἡστε το αὐτό, κατὰ τι μὲν κατὰ κατορθώματα. Οὗτοι οὖν ἐξεσται, κατὰ τι δὲ καὶ εὐκαίρως, ἀφίεται τε καὶ συγκεχώρηται.” St Athanasius the Great, Επιστολή προς Αμμοῦν μονάζοντα, PG 26, 1173B.
Some Orthodox theologians and researchers support the position that St Athanasius accepts participation in war as a morally acceptable and praiseworthy act. Alexander Webster considers this position to be “a remarkable argument in defense of the exceptional nature of killing in war.” He even observes that permissive killing in war is not limited by the father to the enemies of faith, but generally refers to the “opponents” (“ἀντιπάλους”). Thus, he concludes that “St Athanasios’ canon may be interpreted as sanctioning some wars as moral goods, or at least not evils.” A similar opinion is expressed by Athina Kolia-Dermitzaki, who considers that St Athanasius accepts murder in war not only as absolutely appropriate but also as a commendable act that brings honour and glory to those who are distinguished in it. She points out that this position of St Athanasius was accepted by the church as a canon, just as it happened with the position of St Basil on the same subject, thus enjoying the same authority. However, because the position of St Basil, which imposed penance for participation in war drew more attention, the positive position of St Athanasius passed into the background. According to Marian Simion, St Athanasius approves and commends murder during war, while St Basil differs from this position by considering it a sinful act. Finally, Vasilios Antoniadis argues that when it comes to defensive war for the protection of compatriots, the refusal to participate in it by placing personal interest over the collective may be considered an anti-Christian deed. To substantiate this point, he refers to St Athanasius’s position that those who kill during the war are not categorized by the church in the rank of murderers, but are commendable for carrying out their duty to the law.

The above interpretations of the passage of St Athanasius allow a positive consideration of Christian participation in warfare as a good and praiseful act. However, other Orthodox theologians understand this patristic passage in a different way and do not share this particular view. John McGuckin emphasizes that the original letter to Amun “had nothing whatsoever to do with war,” since he only incidentally refers to it, in order to illustrate that the moral assessment

15. Vasilios Antoniadis, Εγχειρίδιον κατὰ Χριστόν Ηθικής, Vol. 2 (Istanbul: 1927), 137. This position does not lead him to the conclusion that killing the enemy in war is a good or virtuous act. As he indicates at another point (132–33) on the participation in war: “an in itself unavoidable and inevitable act, it is not to be enviable and praiseworthy, but to be considered as a lesser evil, forced by necessity for the protection or salvation of valuable possessions or the anticipation and prevention of irredeemable evil.”
of an act is related to the affinity in which it is conducted. St Athanasius, therefore, does not approve war by this letter but simply sets an example widely known in society to explain to Amun that the normal functioning of the body is pure, because thus it was created by God and only human misuse renders it sinful. In this context, he points out that the sexual act is virtuous when carried out within marriage but becomes sinful when it comes to adultery. Therefore, the use of the reference to war for the moral justification of the killing of opponents is wrong, in McGuckin’s view, as the relevance of the entire text is not taken into account. This observation is correct, as St Athanasius does indeed attribute in his letter the morality of the sexual act to the context in which it is conducted, with the result that the reference to war is used as an example. However, the fact that he chooses the taking of life in war as an example allows the use of the passage for the moral evaluation of Christian participation in war, despite the briefness of the wording.

Metropolitan Gennadios (Arabatzoglou) of Heliopolis observes that it is a misconception to use the passage of St Athanasius to shape the Christian view of war, because the father expresses the state’s opinion rather than that of the church. He supports his position with two arguments: (1) The killing of the enemy in war is characterized as a lawful act (“ἐννομον”), which affirms the agreement with the requirements of the state and not as a Christian or moral act that indicates an agreement with the Christian ethos. (2) The reference to the monuments built in honour of the fallen in war, demonstrating the achievements and their contribution to the homeland, also indicates that this assessment of war concerns the state’s view, since the state, and not the church, is the one that builds such monuments. Georgios Mantzaridis accepts this position and adds that the lawful is not necessarily Christian. However, besides being lawful, killing during war is also characterized as praiseworthy (“ἐπαίνου ἄξιον”). This formulation has moral content, but it could easily be assumed that, as this characterization is directly related to the legality and the building of monuments, it also refers to the state’s view.

Georgios Poulis points out that the term “lawful” is used by the father not only in the context of the war, but also in the preceding sentences concerning the Christian view of the intimate contact:

17. Gennadios Arabatzoglou (Metropolitan of Heliopolis), Πόλεμοι, κοινωνία, Χριστιανισμός και ο μεταπολεμικός κόσμος της ειρήνης (Istanbul: 1945), 120–21.
Which use are you referring to? The lawful, which God permitted by saying; Be fruitful, and multiply, and replenish the earth? Which was accepted by the apostle, saying, marriage should be honoured by all, and the marriage bed kept pure? Or the popular but illicit and conducted in adultery?²⁹

But with the sentence that follows the reference to war, it is also implicitly stated that it is a moral judgment on the part of the father: “This is also the reason for the intercourse.”²⁰ This observation is pertinent, but it does not answer the second argument that the reference to the building of monuments for the fallen during war reveals the state’s view. Perhaps it is more appropriate to accept that the patristic saying refers both to the state’s view and to that of the church, since it is not about the formulation of a general rule of universal authority but a moral assessment that depends on the relevance and the circumstances in which the act takes place. This position seems to be confirmed by the passage of the text: “but, under other circumstances and opportunities can be absolved and forgiven.”

What is very important, in our view, is the conclusion that killing in war is forgivable. The use of two verbs with similar content (absolved and forgiven) emphasizes the forgiveness of the Christian who kills in war. However, this act is indirectly assessed ethically, since forgiveness is granted for a sin after repentance. If this act was for St Athanasius consistent with Christian morality and commendable, forgiveness for it would not be necessary. In the first sentence of the patristic passage, the prohibition of murder (“οὐκ ἔξεστιν”) contrasts with the notion that killing in war is lawful and commendable. In the last sentence, what is not permitted under some circumstances and at some times (“κατὰ καιρὸν, οὐκ ἔξεστι”), under appropriate circumstances (“εὐκαίρως”), is not praised but can be absolved and forgiven (“ἀφίεταί τε καὶ συγκεχώρηται”). Therefore, we consider that the first sentence projects the position of the state, for which participation in war is commendable, and that is why it is followed by the reference to the building of monuments; while the second is the view of the church, which provides forgiveness for the sinful act.

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²⁹. “Ποίαν λέγεις χρῆσιν; τὴν ἔννομον, ἢν ὁ Θεὸς ἐπέτρεψε, λέγων· Αὐξάνεσθε καὶ πληθύνεσθε καὶ πληρώσατε τὴν γῆν; ἢν ὁ ἀπόστολος ἀπεδέχθη, εἰπών· Τίμιος ὁ γάμος καὶ ἡ κοίτη ἀμίαντος; ἢ τὴν δημώδη μὲν, λαθραίως δὲ καὶ μοιχικῶς ἐπιτελουμένην,” St Athanasius the Great, Επιστολή προς Αμμούν μονάζοντα, PG 26, 1173B.

Interpretation of the Passage of St Basil the Great

In his letter to Amphilochius of Iconium, St Basil examines, among other issues, the issue of war with the 13th canon, which is entitled “For the Ones Who Killed in War.” In contrary to the passage of St Athanasius, where the reference to war is occasional and has the form of an example, St Basil formulates his position systematically and in the form of a canon. In it, he accepts the distinction of murder in war from other forms of murder, as he understands the need for defense in favour of virtue and piety. He adds, however, as advice, a three-year abstinence from the mystery of divine eucharist, with the justification that the hands of the person who kills in war are not clean, that is, he has committed an evil act. The exact wording of the holy father is as follows: “Our fathers did not recon killings in war as murders, but granted pardon, it seems to me, to those fighting in defense of virtue and piety. Perhaps, that, since their hands are not clean, they should abstain from communion alone for a period of three years.”

Although the rule is clear in its content, its acceptance was not always processed in the same way, both in the Byzantine period and in contemporary Orthodox theology. As Georgios Poulis observes, the three most predominant canonists, Joannes Zonaras, Theodore Balsamon and Aristenos, interpreted it in ways that weaken the canonical meaning of the prohibition. It is characteristic that they do not refer at all to the tribulations of war and the benefits of enforcing penance, but they seem to consider the penalty to be too strict. Most detailed is the interpretation of Joannes Zonaras, who points to St Basil’s reference to the advisory nature of the penance, and characterizes this advice as burdensome ("φορτική"), that is, unpleasant and intolerable. He explains his position, noting that the soldiers who frequently participate in warfare, and especially the bravest ones of them, could be deprived of divine eucharist for a lifetime, as the wars are often successive over short periods of time. It is therefore a penance that for Christians can be an unendurable punishment ("ἀφόρητος")


22. Georgios Poulis, Η άσκηση βίας στην άμυνα και στον πόλεμο κατά το εκκλησιαστικό δίκαιο, in Poulis, Η άσκηση βίας, 72.

23. Marian Simion considers their position to be associated with the difficult time for the Byzantine Empire during the 12th century, when it tried to resist the expansion of Islam, the crusades and the aggression of the Slavs. See Simion, “Just War Theory and Orthodox Christianity,” 121.
κόλασις”). He then indirectly distances himself from the reasoning cited in the canon, that those who kill in war do not have their hands clean, wondering why the hands of those who defend the state and the brothers are not clean since they fight for them not to be captured or to set them free. He mentions in this relevance the position of St Basil that they fight in defense of virtue and piety, and he observes that if the enemies finally prevail, neither virtue nor piety will survive. He even considers that this canon has never been applied in practice. However, it was used by the church when Emperor Nikephoros Phokas asked to honour the victims of the war as martyrs. As Joannes Zonaras testifies, the ecclesiastical leaders did not respond to his request and argued, despite the pressure they received, that it is impossible to honour the fallen warriors as martyrs when the canon of St Basil imposed a three-year excommunication penance for their participation in war.

Important elements of Joannes Zonaras’ interpretation are used by Athina Kolia-Dermitzaki, who claims that some form of “holy” war was accepted in Byzantium. In her view, the canon of St Basil is not a convincing argument for her refutation, since it was merely advisory and, based on the testimony of Joannes Zonaras, at least in the 11th and 12th centuries had ceased to be in effect. Thus, she concludes that “it is obvious that the argument of the patristic canon is very vulnerable, since it is simply an advice that has most probably fallen into disuse.” But even if the canon of St Basil is formulated by him as counsel, it should not be underestimated, since due to the authority of the father, it has greatly influenced the Christian approach to war. The effect it had in the church is testified by its recognition as canon of an ecumenical synod. As such, it is not merely a patristic position but a teaching of the church.

Alexander Webster observes that while St Athanasius refers generally to war against opponents, St Basil sets specific conditions for what he calls “traditional justification of killing in war,” namely the defense of virtue and piety. In light of this and contrary to the interpretation of Joannes Zonaras, he regards the predicted penance as very mild, since the person who kills in war is not excommunicated for lifetime nor degraded to the order of the catechumen. The penance of three-year excommunication is short, especially when compared with

24. Rallis and Potlis, Σύνταγμα των θείων, 131–32. This position of the non-application of the canon is more widely accepted by scientific research. Nevertheless, as Georgios Poulis points out, there is no lack of testimony about the abidance of the canon by the responsible bodies of the church, while its inclusion in collective works reveals that the church accepted the penalty of those who killed during war. See Poulis, Η άσκηση βίας, 72-74.

25. Rallis and Potlis, Σύνταγμα των θείων, 131–32. Similar, but much shorter are the positions of Theodore Balsamon and Aristenos (132–34).

the 20-year penance for murder and ten-year penance for abortion. In addition, he also notes the advisory nature of the penance to make the point that warfare should be defined not as a lesser evil but as a moral and virtuous act or as a lesser good. John Breck criticizes this position, pointing to the lack of distinction between what is justifiable and tolerable and what is good. War is evil in nature, so even if in some cases it is necessary and justifiable, it is treated by Christian ethics as a necessary evil and not as something that can be described as good. He also observes that if we apply the same argument to the issue of abortion in a similar way, we can be led to the conclusion that the abortion of an embryo in order to save the mother’s life is a lesser good and not a necessary and lesser evil.

John McGuckin accepts Alexander Webster’s position that this particular penance is a very mild punishment, but he does not accept his conclusion about the assessment of war as a lesser good. In order to understand the gravity of the proposed penance, we must, in his view, incorporate it into the historical context of the 4th century, where the majority of adult Christians in church would not have yet been initiated by means of baptism and were thus not bound to keep all the canons of the church, while the baptized Christians were actively engaged in extensive ritual preparation that involved fasting, almsgiving and prayer, so that in any event they did not receive communion very often. The mildness of the penance testifies to the tolerance of the holy father to the necessity of Christians defending themselves, in order to protect their faith, their homeland, but also the honour and safety of their weak fellow citizens. However, if participation in war is unavoidable and ethically acceptable for the defense of faith and homeland, then why should the killing of the enemy not be considered as a good deed? He replies that St Basil, with a mild penance, wants to send the message to the whole society that war and violence are incompatible with the gospel. They are not part of the heavenly kingdom pursued by Christians and experienced liturgically in the divine eucharist, but part of the present world that is dominated by the greed of man. He therefore accepts the warrior

27. Webster, “Justifiable War as a ‘Lesser Good,’” 27-29.
28. “... may, in good conscience, engage in warfare as a lesser good. Such limited or proportionate warfare in pursuit of just ends becomes a function of justice. Since justice is one of the four ‘cardinal’ virtues introduced by Plato, acknowledged in the Septuagint (Wis 8:7), and amplified through the entire patristic tradition, justice in war - both as an end and the means to that end - may also be virtuous and hence morally good.” Ibid., 53–54. He does not base his view only on the interpretation of St Basil’s 13th canon but also on many other theological arguments which he develops in his study, but we do not quote, as in this article we focus on the patristic passages of St Athanasius and St Basil.
who returns from war, but imposes the abstinence from divine eucharist for a relatively short period of time in order for him to repent and then return to it.\textsuperscript{30}

Valerie Karras observes that while St Basil clearly distinguishes the murder committed in war from other forms of murder, and despite the fact that the Greek language provides many words to attribute the act of taking the life of the fellow human, St Basil uses in both cases the term murder (“φόνος”). Thus, while distinguishing the two cases, he uses the same term, which de facto connects them. This is also the case with Canons 8 and 43 of the same epistle. In Canon 8, St Basil distinguishes three categories of murder: voluntary manslaughter, involuntary manslaughter, and voluntary that comes close to involuntary. Although the distinction of these three forms of killing is based on the will of the perpetrator, which is very important for the moral consideration of the act, the use of the term “murder” to characterize the act remains common to all three. As he explains in Canon 43, “The one who gave his neighbor a mortal wound is a murderer, whether he gave the first blow or was retaliating in defense.\textsuperscript{31} So regardless of the offensive or defensive character of the act, the killing of a neighbour makes a human a murderer. The use by the father of the same term for all forms of killing is, according to Valerie Karras, the interpretive key to understanding the phrase “having the hands not clean” (“ὡς τὰς χεῖρας μὴ καθαρούς”), as well as the general spirit of canon. Even if people defend and protect the lives of defenseless fellow humans with their struggle, the killing remains a form of murder that renders their hands unclean. Thus, the warrior who returns from the defense of piety and virtue does not have clean hands. St Basil does not ignore or under estimate the importance of the cause leading to war, that is why he proposes a very mild penance, especially compared with the corresponding penances for other forms of murder.\textsuperscript{32}

**Closing Remarks**

Although the two patristic passages are not identical and have been interpreted in different ways, their content has, in our view, many and important similarities.

\textsuperscript{30} McGuckin, “St Basil’s Guidance on War and Repentance.”

\textsuperscript{31} “Ὡς θανάτου πληγὴν τῷ πλησίον δέδωκε, φονεύς ἐστιν εἴτε ἦρξε τῆς πληγῆς, εἴτε ἠμύνατο,” St Basil the Great, Ἐπιστολὴ κανονικὴ Α´ τοῦ Μεγάλου Βασιλείου πρὸς Ἀμφιλόχιον Ἰκονίου, in: Courtonne, 190.

\textsuperscript{32} Karras, “Their Hands Are Not Clean,” 9.
First, both clearly distinguish the murder committed during war from the other forms of murder. The invocation of the earlier fathers’ positions by St Basil reveals that he accepts this distinction as a patristic teaching, which he follows and complements. This reference shows the connection between the two patristic passages, while enhancing and displaying their unity.

Second, both passages claim a milder approach to murder in war compared to other forms of murder. St Athanasius promotes as justification the Christian’s duty over state and therefore characterizes the act as legitimate and laudable, while St Basil promotes the defensive character and the need to defend piety and virtue. These formulations are in harmony with each other, since participation in the defensive war constituted for the citizen of the Byzantine Empire both a duty to the state and a deed for the defense of piety and virtue.

And third, both patristic texts refer to the forgiveness granted to the person who murdered during war. By that, both state the view that murder in war is a sin, at the same time as they recognize the difficulty of avoiding it, which makes it an excusable act. This murder, though distinguished from other murders, is not praised but is regarded as a sin. This is why both fathers point out the need for forgiveness. St Basil places more emphasis on considering the deed as a sin, which is why he connects it to the penance of the three-year excommunication, which he justifies with the phrase “as their hands are not clean,” while St Athanasius emphasizes forgiveness by completing his reference to it with the use of the synonymous words, “absolved and forgiven.” Both cases, however, view murder in war as a sinful act; it is distinguished from other forms of murder and becomes excusable because the reasons that lead to it are understood.

The killing of the enemy is not in accordance with the teaching of Christ, who calls humans to love their enemies and turn the other cheek when they receive a slap. On the other hand, the Christian’s desire to defend the homeland, their faith, and weaker fellow humans against the invader is understandable. The positions of the two fathers of the church remain firm on the precision of evangelical teaching, while at the same time they do not ignore the human weakness in its implementation. The participation of Christians in war and in the killing of enemies often seems necessary and does not really constitute a voluntary choice; for that reason, Hugo Tristram Engelhardt characterizes it as “involuntary sin.” The penance proposed by St Basil reflects this very approach; murder in war is a deviation from the teaching of Christ and therefore a sin, which requires treatment and forgiveness. However, the particular

reasons that make it difficult to avoid lead to the imposition of an asymmetri-
cally mild penance for the taking of life.

The purpose of the fathers is not, in our view, to propose a compromising
solution that balances between the obedience to Christ’s commandments and
the duty to homeland. Nor is it to punish the murderer for his sin. Instead, it
is to show forth the Christian teaching of love for every fellow human, even for
the enemy, and at the same time to help the faithful who failed to implement it
to be spiritually cured from the burden of sin and the painful experience of war
that infects the spiritual life. It is well known that many warriors suffer symp-
toms of post-traumatic stress disorder, including sleep disorders, loss of inter-
rest in life, aggression, anxiety, and depression. They also often also experience
“moral injury” consisting of feelings of guilt, low self-esteem, and alienation
from fellow humans. These consequences strongly affect the relationship of
people with their family, friends, and social environment in general, but also
their relationship with God. So, they require treatment.

The concept of forgiveness, emphasized in both patristic passages, aims at
the spiritual healing of human beings and the restoration of their relationship
with God and fellow humans. Even if participation in war seems to be in some
cases tragically necessary and is not an expression of hatred or malice, it is still
linked to the inducement of death by acts of violence. It has negative conse-
quences that include the destruction of land, widowhood, orphanhood, dis-
ability, mental trauma, homelessness, and deprivation of goods. That is why
the fathers call on the recognition of the sin and repentance, which leads to
forgiveness, healing and salvation.

On the basis of the above, we believe that considering Christian participa-
tion in war as necessary or lesser evil more accurately reflects the approach of
Orthodox ethics. Since murder in war reveals the incapacity to abide by the
word of the gospel and is an act that requires repentance and forgiveness, it
does not qualify to be characterized as good, even a lesser good. Of course, this
small verbal differentiation, though not insignificant, does not reflect a radically
different moral approach. As Emmanuel Clapsis rightly observes, “violence is
neither fully legitimized from the perspective of the Church when it is viewed
as a ‘lesser good’ nor is unconditionally renounced when it is considered as a

34. More for the distinction between post-traumatic stress disorder and “moral injury,” for
the symptoms described by the veterans of the Vietnam war and the need for spiritual healing
see: Aristotle Papanikolaou, “The Ascetics of War: The Undoing and Redoing of Virtue,” The
Wheel 12 (2018), 44–50, especially 45–47.

35. For that reason, the just war theory is not accepted from an Orthodox perspective. See
‘lesser evil.’" However, the view of murder as evil strengthens the evangelical message, which is a message of non-reciprocation of evil, of unselfish love for fellow humans, and of peace on earth. And peace does not mean simply the absence of war, but rather the cultivation of spiritual life leading to inner peace, reconciliation with God, and a sharing in the grace of the Holy Spirit.


This article explores an ethical debate in West German Protestantism in the 1950s. In dispute was whether Christians could serve in the army of the Federal Republic of Germany (FRG) or should abstain from compulsory military service and use their constitutional right for conscientious objection. This question led German Protestantism to the edge of a division in the late 1950s.

I will reconstruct the debate up to the declaration of a *status confessionis* in 1958 and examine the solution of the conflict in the *Heidelberger Thesen*. It shall become clear that within the existing mental and historical framework, the legitimate possibility for Christian conscientious objection was indeed a new challenge for the theological thinking and moral discernment of German Protestantism. Unsurprisingly, only a few Protestants actually admitted and promoted this option, while many German Protestants remained very sceptical of this possibility. In this harsh debate, the *Heidelberger Thesen* tried to establish a new understanding of the mutually exclusive moral options to relate both conflicting viewpoints in a positive manner. This idea was grounded in a fundamentally new logical approach – the idea of complementarity – that two physicists introduced into the debate. I will conclude that the whole moral dispute and development were highly contextual and driven by different political options of the participants, so that theological and other motives were inseparably connected. I will argue that the thesis of complementarity was a major step for ethical discernment in German post-war Protestantism. It made moral decisions conditional on individuals’ perception of a given situation rather than on the doctrine of the church, Protestant groups, or moral authorities.

I shall note two limitations of the article at the beginning: I will focus on the West German debate on conscientious objection. The historical circumstances in the GDR differed greatly, starting with the fact that there was no political right for conscientious objection at all. This led the public and Protestant debate in other directions. Further, I will limit the reconstruction to the Protestant mainline churches, which shall not negate the fact that the Historical Peace Churches played an important role in the debates on conscientious objection in Germany.

The Historical and Mental Framework of the Debate

The immediate historical experience of the Nazi-period including the division of the German Protestant church formed the indispensable backdrop of the situation in post-war Protestantism. Since the 19th century, many Protestants had held strong national-protestant convictions. Consequently, they had followed the ensuing Nazi ideology willingly. Shortly after 1933, the unity of the German Protestant mainline churches broke: The Nazi church party, Deutsche Christen (DC), attempted to integrate the existing German Protestant churches into Hitler’s apparatus of power. The Bekennende Kirche (BK) stood up against this attempt and tried to maintain an uncorrupted Protestantism by constituting its own church structures: such as the Bruderräte in the regional churches and the Reichsbruderrat. The BK was in itself a heterogeneous movement with a rather moderate and a rather radical wing. Actually, only a few members of the BK actively withstood the Hitler regime, while others emphasized their general loyalty to the state as long as the state did not interfere with the independence of the church.

In 1945, the Evangelische Kirche in Deutschland (EKD) was founded in the explicit tradition of the BK. Nonetheless, the Reichsbruderrat persisted in parallel and delegated itself to remind the EKD of the heritage of the BK. Throughout the 1950s, increasing numbers of Kirchliche Bruderschaften were re-established following the tradition of the Bruderräte. This indicates two aspects of this process. The first is that a polarity of two main groups existed in German post-war Protestantism from the beginning. German contemporary church historians have established the hermeneutically helpful distinction between a minority, the so-called left wing of German post-war Protestantism, that was influenced especially by the reformed theology of Karl Barth, and a

majority, which can be called the conservative or Lutheran wing. The second aspect is that both wings stood in the tradition of the BK, even though the left-wing Protestants increasingly claimed the heritage of the BK exclusively as their own. Rather than associating the left wing with the BK and the conservative wing with the DC, it seems accurate to say that the two wings represented transformations of the radical and moderate wing of the BK after 1945.

Another aspect was influential in the debates of the 1950s. In the atmosphere of the Cold War, the EKD was an all-German Union of Churches in two German states. Being church in the FRG and the GDR, the EKD understood itself as a pan-German Bracket and argued in public debates with regard to this. The explicit political aim was the reunification of Germany and of German Protestantism. The shared belief was that the German people and Protestants should live in one nation. The question at stake was merely how to reach this goal. While the conservative majority supported the policy of chancellor Konrad Adenauer to integrate West Germany into a strong Western alliance to secure the freedom of the West and overcome the socialist GDR by force, left-wing Protestants criticized the policy because it would preclude a quick unification of Germany. As prominent left-wing Protestant and later Federal President Gustav Heinemann put it, “If I want to go to Dresden, Rostock or Berlin, I do not board a train to Paris or Rome.”

It also seems important to highlight in this context that both wings of German post-war Protestantism participated in the national-protestant tradition that went back to before 1918. The Lutheran and conservative wing expressed this in an inherited strong and almost paranoid anti-Bolshevism. To cite only one example, Eberhard Müller, founder of the Protestant Academy Bad Boll and spiritus rector of all Protestant academies in post-war Germany, once spoke about a lurking cat with regard to the Soviet Union. For him, it was only a

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matter of time until this cat recovered its appetite to swallow the West German mouse.\textsuperscript{6} But the left-wing Protestants still entertained national-protestant motives at the beginning of the 1950s. This becomes explicitly clear in a \textit{New York Herald Tribune} interview with Martin Niemöller, Church President in \textit{Hessen-Nassau} and figurehead of left-wing Protestantism. In the face of the mounting Cold War, Niemöller argued for a neutral but unified Germany and assumed that Germans would prefer to live under communist rule in a unified country than to live permanently in two different states. His whole reservation against the West German state held even stronger denominational overtones. This became clear when he said that the West German government “was conceived in the Vatican and born in Washington. The continuance of the West German State means the death of continental Protestantism.”\textsuperscript{7}

The Foundation Stones of the Debate

The mothers and fathers of the West German Basic Constitutional Law created something totally new in the history of modern constitutional law. They anchored a basic right to object to military service for conscientious reasons in the German \textit{Grundgesetz}. The constitutional assembly implemented this right in article 4 – the article that ensures religious freedom. This clearly indicates the intention. The constitutional right for conscientious objection was a direct reaction to the fate of members of religious minorities during the Nazi regime who had resisted the military draft to serve in the \textit{Wehrmacht}: Quaker, Mennonites, and especially Jehovah’s Witnesses. Hundreds of them had died or were executed in military prisons for their religious convictions.\textsuperscript{8} This should not happen again.

Conscientious objection was not an important topic for the mainline churches during the constituent process,\textsuperscript{9} nor had it been a major issue for

mainline Protestantism at all: only four cases are known between 1933 and 1945 in which members of Protestant mainline churches resisted their conscription call to the Wehrmacht. One of these was the secretary of the German branch of the International Fellowship of Reconciliation, Hermann Stöhr. Furthermore, conscientious objection also had not been the object of intense theological reflection. Only Otto Dibelius, the later chairman of the EKD, made some tentative remarks on it in 1930, stating that conscientious objection might one day become a public right protected by the state and that the church therefore could step in for those objectors who refused military service for genuine conscientious reasons. He called this “the way of the radicals” and continued to argue that Christians could defend their fatherland with weapons having “a good conscience” and “an unbroken heart.” This clearly shows that Dibelius thought about this right to object as a matter of tolerance against marginal pacifist groups rather than a matter of a proper moral approach for mainline Protestantism. It was even more of an exceptional phenomenon before 1945 for a pastor of the Protestant mainline churches to show a clearly pacifist coinage. One of the few was Friedrich Siegmund-Schultze, who already worked with foreign prisoners of war during World War I and was deeply rooted in the international peace movement. In the 1920s he published some considerations about conscientious objection and an alternative civilian service. Before 1945 it seems rather appropriate to imagine German mainline Protestantism in accordance with the mindset that Hanns Lilje, later Bishop in Hannover, expressed in a little book in 1941. He ascribed war an original and even religious dignity. In his eyes, war gained the quality of a spiritual act or even effort and was an existential chance for individuals to prove themselves. All this is


12. Ibid., 208.


perhaps not too surprising for a conservative Lutheran theologian during that
time. But even Martin Niemöller, who turned into a fundamental pacifist only
during the 1950s, followed the classical lines of the theological tradition in a
speech he gave on the occasion of the *Deutsche Evangelische Woche* in 1935. In
accordance with the doctrine of just war and the doctrine of two kingdoms,
he fully appreciated the right of the state to defend itself by military force and
obliged the individual citizen to participate in this mandate by serving in the
national army.

Apart from the vast debate over how appropriately the German mainline
churches after the war dealt with their own role and guilt before 1945, the *Frie-
densworte* of the EKD that the church published in 1948 and 1949 shows a
fundamentally different character. Reflecting the experience of the Nazi-regime
and World War II, it was no longer possible to ascribe a religious dignity and
sense to war, but it was time to clearly state, “The world needs love, not vio-
lence. It needs peace and not war.” This had an explicit reference to the decla-
ratin of the World Council of Churches (WCC) in 1948 that made clear: war
contradicts the will of God.

Altogether two things had changed for German Protestantism concern-
ing the question of conscientious objection in the FRG. First of all, churches
and theologians had to take into account that for the first time in German
history, the state protected an objection for conscientious reasons – even more
in terms of a basic constitutional law. And secondly, the basic attitude of the
church toward war and peace showed an opposite prefix: war was no longer
an inevitable fact and a means of God’s providence in this world, but opposed
to God’s will. The EKD draws the obvious conclusions on the occasion of the

Krieg – Beiträge zur Historischen Friedensforschung* 17, ed. Detlef Bald and Wolfram Wette
(Essen: Klartext Verlag, 2010), 227–41.
16. See Martin Niemöller, “Der Friede Gottes als die Kraft des wehrhaften Mannes,” in *Wahr-
rheit und Wirklichkeit der Kirche*, Vorträge und geistliche Reden gehalten auf der Deutschen
Evangelischen Woche, 26, bis 30.08.1935 in Hannover, ed. Detlef Bald and Wolfram Wette
17. See “Evangelische Kirche in Deutschland: Wort zum Frieden (1948),” *Kirchliches Jahr-
buch* 72-75 (1945–1948), 185–86; “Evangelische Kirche in Deutschland: Wort der Kirche
Frieden und nicht Krieg.”
19. See Willem A. Visser’t Hooft (ed.), *Die erste Vollversammlung des Oekumenischen Rates der
Kirche in Amsterdam vom 22.08. bis 04.09.1948, Unordnung der Welt und Gottes Heilsplan
synod in Berlin-Weißensee in 1950. The synod clearly aligned with those who would object military service for reasons of conscience, ensured the advocacy and intercession for the objectors, and asked all governments to protect their rights. This was indeed something totally new. Nonetheless the discussions and the documents of the synod clearly show that the backdrop of this was not so much a general Christian pacifism, but rather the all-German perspective and even nationalist heritage of German Protestantism. The representatives of the church obviously feared a war between East and West in which Germans would fight against each other on different sides. Before German Protestants would fight in a fratricidal war against fellow Christians in the opposite German army, they should rather object.\textsuperscript{20}

**Some Cornerstones of the Debate**

The constitutional right to object to military service for conscientious reasons and the word of the synod of the EKD in 1950 that the church would show solidarity with conscientious objectors served as the basis for all following discussions in German post-war Protestantism concerning conscientious objection. The underlying problems of the following debate were already embedded in the statement of the synod: on the one hand, the church aligned with all those objectors who objected for true conscientious reasons and was therefore in perfect accordance with the formulation of article 4 in the constitutional law. But on the other hand, the church left open what it exactly meant by reasons of conscience: only religious reasons; all reasons that show a deep and fundamental inner moral conviction (like fundamental pacifism); or all reasons, even those that derive from situational considerations or differing political options. This is what the church at least suggested by bringing up the context of a fratricidal war. One may even interpret the document as implying that the church only recommends an objection for this motive while it remains doubtful about the legitimacy of other reasons, such as strict pacifism.

**Positive admission by left-wing Protestantism**

The different wings of German post-war Protestantism took up these motives differently. The prelude was a leaflet of the Bruderschaften der Bekennenden Kirche – a rather contingent group of pastors that had gathered in Darmstadt following an invitation by Martin Niemöller. The leaflet was entitled, *An die*

\textsuperscript{20} See “Evangelische Kirche in Deutschland: Was kann die Kirche für den Frieden tun?” *Kirchliches Jahrbuch* 77 (1950), 7–10.
The left-wing pastors felt coerced to first answer rumours about a West German rearmament. From their point of view, Germany should be unified and neutral between the blocks. The pastors claimed that the decision to rearm the FRG would be too fundamental to delegate it solely to the government. Niemöller himself called it a *Volksbetrug* – a betrayal of the people – if the government would decide to do so. The *Bruderschaften* called everybody to object to military service as a matter of resistance against the policy of the Adenauer government in the overarching situation of the Cold War: “An upcoming war would merely bring annihilation. Nobody in East or West Germany can have a good conscience, if he participates in this war.”

Thus, on the one hand the *Bruderschaften* called quite fundamentally to strictly object military service, as if this were the only possible decision for Christians. But on the other hand, they related this decision to the situational resistance against the policy of the West German government. This structure is even more visible in later documents like the *Leverkusener Erklärung* by the Kirchliche Bruderschaft im Rheinland. The declaration clearly formatted the opposition against the policies of rearmament and integration into the West as reasons of conscience and therefore as legitimate motives to object to military service according to article 4 of the Grundgesetz.

**Skeptical acceptance by the conservative-Lutheran wing of Protestantism**

It was the above-mentioned Eberhard Müller who set the course for the Lutheran and conservative majority of the post-war Protestants. He argued in 1956 that nobody would deny the truth of the WCC-declaration that God’s will is peace and not war. He also affirmed the basic constitutional right to object to military service for conscientious reasons and did not necessarily disagree with the churches’ account to support conscientious objectors. But he appeared to be quite critical of all forms of pacifism, basically because pacifism would deny the reality of war apart from a person’s own attitude toward it. For Müller, it was a matter of tolerance to grant fundamental pacifists the right to object to military service, even though he left no doubt that they were at fault. He himself explained, in rather traditional theological and specifically Lutheran terms of the doctrine of the two kingdoms and the doctrine of just war, that the state is entitled to use force to protect citizens against outer evil and aggressions and that the state is entitled to use force to protect citizens against outer evil and aggressions and

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also that the individual Christian should participate in this mandate by serving in the army. An individual objection would only be considered if the state’s armament obviously supported an aggression and did not serve its defence.

Deriving from his strong anti-bolshevism, the roles in the Cold War were obvious for Müller. The East was the aggressor, the West needed to be defended. Hence, Müller clarified, a situation in which a conscientious objection is legitimate would occur far less often in the West with its functioning democratic system than in the East. This was a quite typical Lutheran view on conscientious objection in German post-war Protestantism: For the sake of faithfulness and as a concession to the West German constitution and to the national and international declarations of the church, conservative Lutherans accepted conscientious objection politically and tolerated it theologically, even though they actually considered objection as morally and theologically wrong. Objection needed to be strictly limited to pacifists in principle, also in order not to be open for hostile infiltration: “A too extensive protection of the freedom of conscience could finally endanger the freedom of conscience itself,” as Müller put it. Occasions for a situational objection were almost ruled out in the free West.

Walter Künneth, Lutheran professor of systematic theology in Erlangen and a representative of the very conservative tip of the Lutheran wing, pushed this argument a bit further. In line with Müller, he called the military service the normal case, while conscientious objection was fundamentally wrong and could only be tolerated. For Protestant Christians, it had merely the status of a marginal possibility with eschatological and emblematic character in an apocalyptic situation. In the course of time and human history, objection was not a legitimate option for Christian citizens. Against the backdrop of the Lutheran doctrine of two kingdoms, Künneth supported this with the argument that if a God-given authority, like the West German government, took up arms, the consideration of whether the upcoming war was a just war would not rest with the individual but was clear by definition: a good authority only wages just wars. “This results in a simple duty to obey no ‘ifs and buts’, in the awareness to be called to an act of preservation.”

24. Ibid., 19: “Ein zu weit gehender Schutz der Gewissensfreiheit könnte also letztendlich die Gewissensfreiheit selbst gefährden.”
The EKD counsel on conscientious objection

This outlines the spread of positions in the debate in the mid 1950s, when the EKD published its counsel on the pursued and more specific legal arrangement for conscientious objection in the FRG. This became necessary in preparation for the foundation of the Bundeswehr in 1956. The Ratschlag zur gesetzlichen Regelung des Schutzes der Kriegsdienstverweigerer states clearly that the church opts and acts for peace. Accordingly, every Christian is called into the responsibility for peace and therefore into the consideration whether they can participate in a war – especially in the historically new situation of the 20th century, in which weapons of mass destruction have become part of the conduct of war. Politics should not limit the variety of reasons of conscience for an objection, the church argued. They explicitly needed to take into account that the voice of the conscience speaks in specific situations to individuals.  

It seems that this counsel followed a moderate left-wing position, because it appreciates conscientious objection as basically a legitimate possibility for West German Christians, especially in the specific situation of the Cold War and in the face of the existence of weapons of mass destruction. It is not surprising that Friedrich Siegmund-Schultze hailed the counsel as an expression of the fundamentally new position of the church concerning the conscientious objection, while Walter Künneth refused it entirely and stated that it contradicted reformatory principles.

The supposed status confessionis and a fainting synod

In the second half of the 1950s, the question of weapons of mass destruction came increasingly to the fore of the debate – not least because German government considered a nuclear armament of the Bundeswehr. This deepened the conflict between the two wings of German Protestantism. Prominent Protestant figures, like Martin Niemöller and Gustav Heinemann, joined the movement Kampf dem Atomtod!, which protested against the plans by Konrad Adenauer and his minister of defence, Franz Josef Strauß.
In the course of the public debate, the Kirchliche Bruderschaften in West Germany presented a paper to the synod of the EKD in which they argued that the pure existence of weapons of mass destruction had made obsolete the traditional doctrine of just war. They claimed that the church should speak “an unconditional no” to all plans of a nuclear armament of the FRG. Even more, they stated that any opposition or neutrality in this question would negate the fundamental trinitarian confession of the church: in their eyes the situation meant a *status confessionis*, in which the church and every Christian could only reject any participation in nuclear armament or even a potential atomic war.30

As Dieter Gutzeit put it in the journal *Die Stimme der Gemeinde*: “Overall can be said, that we cannot place the question of the participation in a total war into the free discretion of the individual Christian and that someone, who participates in such a war cannot call himself a Christian with good conscience.”31

Already before the synod started, the Lutheran wing reacted fiercely. Hans Asmussen, former member of the *Reichsbruderrat* and co-author of the *Barmen Declaration*, formulated a refutation in which he accused the *Bruderschaften* of betraying the Christian articles of faith through a totally exaggerated fear of the atomic bomb.32

The unity of the German church was at stake – regardless of whether the declaration of the Bruderschaften that the nuclear armament resulted in a *status confessionis* was appropriate or not. In any case, the harsh dispute between the wings of German post-war Protestantism put the debate over the edge. As expected, the synod, which met in Berlin in 1958, did not find a shared position either on the question of a nuclear armament of the FRG or on the problem of whether individual Christians should, could, or could not serve in an army with nuclear weapons. The delegates declared, almost counterfactually, “We remain


together under the Gospel and make efforts to overcome the differences.”

The synod soon was called *Ohnmachtssynode* – the fainting synod, so to speak. Only 13 years after the reestablishment of an all-German church, this church was about to break to pieces again – this time not in an Eastern and Western part, but along the rupture line of Christian participation in a potential nuclear armament.

The Keystone of the Debate: The *Heidelberger Thesen*

The situation remained tense. Eventually, the newly established *Forschungsstätte der Evangelischen Studiengemeinschaft in Heidelberg* (FEST) founded a study commission on war in the atomic age. Amongst theologians, a jurist, a historian, an army officer and two physicists, Günter Howe and Carl Friedrich von Weizsäcker, worked together on the commission. The commission was explicitly geared to the work of the commission of the WCC to prevent a nuclear war, which had just published a paper in 1958.

Only a year later, the FEST commission published a book in which they presented their results. The heart of the book is a series of 11 theses, later simply called the *Heidelberger Thesen*. They argue that both options, military service in a nuclear army and conscientious objection, can serve the overarching aim to preserve the world peace. Any individual decision must be oriented toward this goal. Both moral options are mutually exclusive but need and support each other at the same time. In this manner, the final thesis formulates, “Not everybody must do the same, but everybody must know, what he is doing.”

The actual author of the theses was Carl Friedrich von Weizsäcker, who was supported by his long-time friend and colleague Günter Howe. This is why the theses use the quantal physical concept of complementarity to make the new account plausible: “We must try to understand the different conscientious decisions, that are taken in the dilemma of the nuclear armament, as

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35. Howe, *Atomzeitalter*, 226–36, 235: “Nicht jeder muß dasselbe tun, aber jeder muß wissen, was er tut.”
complementary actions.” The concept of complementarity goes back to Niels Bohr and the epistemic insight that quantal objects occur as wave or particle depending on the method of measurement. It is essential to the concept that both states of the phenomenon are mutually exclusive: a quantal object appears either as wave or as particle, but never as both at the same moment. But it is also essential to bear in mind that both states essentially supplement each other for a full understanding of the phenomenon of quantal objects. Complementarity means to accept the mutual exclusiveness on the level of phenomenological occurrence and to approve and appreciate the necessary mutual supplemental- ity of these occurrences on the level of epistemic cognition.

It is this idea that the two physicists tried to translate into the moral dilemma at stake. Even though Niels Bohr himself had brought up this idea a few years before, one may argue that the transfer of a concept of science into the realm of ethics might be difficult. At first the theses received mainly negative reviews in the theological sphere: Interestingly enough, both Protestant wings criticized the theses for their lack of moral decidedness. Helmut Gollwitzer, member of the commission, eventually withdrew his consent with the theses and declared the result was no moral progress. Positive reactions were rare.

Bernd W. Kubbig calls the Heidelberger Thesen “a glossy, harmonising for- mular of compromise.” But one should not too quickly echo in the negative tone of this valuation. Indeed, it was a compromise and it harmonized the conflicting moral points of view, but it thus also accomplished the task to

36. Ibid., 230: “Wir müssen versuchen, die verschiedenen im Dilemma der Atomwaffen getroffenen Gewissensentscheidungen als komplementäres Handeln zu verstehen.”


show a way for German mainline Protestants to remain together in one church
apart from the existing fundamental moral differences. The Heidelberger Thesen
helped to overcome the fainting of post-war Protestantism in the late 1950s and
remained the guideline for all debates in the decades that followed.

In my view, it is appropriate to speak about the individualization of moral
discernment that the Heidelberger Thesen produced as an incidental consequence
of the attempt to solve the conflict on moral discernment with its related con-
flict in church politics. That an individual has to decide through irreplaceable
evaluation of the political and personal situation how to personally secure world
peace seemed to be the most promising. The gospel and the confession give
guidelines, but neither the church nor certain Protestant groups or wings can
prescribe this decision. An individualization that perfectly fits the program-
matic self-description of modern Protestantism: to be the religion of freedom
and individualization.44

Conclusion: The Development of Moral Discernment
in German Post-War Protestantism

German Protestantism developed a new and affirmative understanding of peace
after World War II. This was initiated mainly by the reception of the WCC
assembly in Amsterdam 1948. Contemporaneously, the German Grundgesetz
introduced a basic right to object military service for conscientious reasons.
Both were profound external challenges for the theological thinking and tradi-
tion in the German mainline Protestantism. The left wing quickly accepted and
adopted the new right – not least because it was useful in their overall resistance
against Adenauer’s policy of integration into the West and rearmament of the
FRG. Therefore, left-wing Protestants did not hesitate to disband traditional
doctrines like the doctrine of just war. Overall, the left wing was an innovative
energy that initiated debates and pushed them forward. The rather conservative
Lutherans found themselves in a mainly responding role in the debate. They
stuck to traditional theological motives even in the face of weapons of mass
destruction – not least because these motives were helpful in their support for
the Adenauer-government. But it is also part of the picture, that the Lutherans
sooner developed a positive relation not only to the policy of the government
but also to the new West German democratic state as a whole.45 Overall, the
quarrel about the participation in the West German rearmament was largely
contextual and dependent on external figurations that were not genuinely

44. See Meyer-Magister, Wehrdienst und Verweigerung, 568–70.
45. Ibid., 557–59.
theological. It was certainly not a purely intellectual dispute about theological motives and doctrines: opposing political options and theological arguments and motives were intermingled.

This dispute led the EKD to the edge of an a new division. The idea of complementarity introduced by two physicists tried to solve the existing dilemma. This external impulse to resolve the debate remained controversial. Indeed, the formula was a deep challenge for the ethical but epistemic discernment in theology.\(^{46}\) It is beyond the scope of this article to spell out these epistemic consequences in more detail. But reducing the *Heidelberger Thesen* to a cheap compromise that kept the church together underestimates their importance. Their meaning for the moral discernment of the church is more far-reaching. The idea of complementarity gave moral disputes and discernment in the church more flexibility. It allowed the consideration of mutually exclusive options for moral decisions in a larger frame, in which they gain a fruitful mutual correspondence. Not least, the theses individualized the moral discernment in German post-war Protestantism and emphasized the individual evaluation of a given moral situation.

Taken together, the 1950s were a surprisingly innovative period in German theology, in which German mainline Protestantism set the ethical course for the decades to follow. It is striking to see the great influence of societal contexts and political dispositions that were not genuinely theological. Eventually, laypersons who transcended the margins of academic disciplines and applied their theoretical concept in new contexts provided the crucial incentives to develop the moral discernment of the church.

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WOMEN IN THE LITURGY
In 2013, the Faith and Order Commission of the World Council of Churches (WCC) studied the topic of moral discernment in the churches, which resulted in a study document, *Moral Discernment in the Churches*. Subsequently, in 2015 the commission continued the work on moral discernment and set up a Study Group commissioned to do a project consisting of several steps. In its first step, the Study Group engaged in assisting the churches to learn, understand, and reflect on how different churches actually engage in a moral discernment process, particularly, when a new ethical question arises. In a second step, the Study Group commissioned studies on different examples taken from history of moral issues in which a specific church had held one position at one time in history but moved to another at a later time. With gratitude, I accepted the invitation to participate in this important study, and offered for the first project a description of the process and authorities that are involved in the discernment process in the Syriac tradition with regard to moral discernment and ethical decision-making.

As part of the second project, the current study presents an example from the Syriac tradition on a subject in which a major change occurred as early as the 4th century and which had a decisive impact on the church. This change was not only with regard to the subject itself; it also provided and in fact became a method of handling new challenges that the church saw and sees itself confronted with time and again. The subject concerns St Ephrem the Syrian’s (c. 306–373) consideration of the singing and teaching ministry of women
in the Syriac tradition despite the Pauline instruction that “women should be silent in the churches. For they are not permitted to speak, but should be subordinate, as the law also says” (1 Cor. 14: 34). St Ephrem the Syrian, inspired by the holy scripture itself, created women choirs in the church to sing praises to the Lord, which was prohibited at the time, given the aforementioned Pauline instruction.

With respect to the issue of the Pauline admonition for women’s silence in the churches, this study presents how and why the change came about to include women in the liturgical worship and the public religious work within the Syriac Church.

The Protagonists: St Ephrem the Syrian and St Jacob of Sarug

In the Syriac tradition, St Ephrem is acknowledged as the greatest Syriac poet and a remarkable theologian, an amazing teacher, a skilled preacher, a renowned hymnographer, and an excellent biblical commentator whose teaching activity and creative writings have had lasting impact on the Christian tradition. He was born in Nisibis around 306 and spent the final decade of his life in Edessa, where he died in 373. As a deacon, Ephrem served some 40 years under a succession of bishops: Jacob of Nisibis (c. 308–338), Babu (d. 346), Vologeses (Walgash) (d. 361), and Abraham (d. 363). In his Hymns against Heresies, LVI: 10, Ephrem refers to himself as a “herdsman” (‘allonono) who helped tend his


4. Ephrem wrote a number of prose works such as commentaries on the biblical text, but the bulk of his work is in verse. Ephrem’s poems are now available in excellent editions (with German translations) by Dom Edmund Beck, published in the Louvain Corpus of Oriental Christian writers (Corpus Scriptorum Christianorum Orientalium, Scriptores Syri). The fullest collection of Ephrem’s Syriac poetry in English translation is by Kathleen E. McVey, Ephrem the Syrian: Hymns, Classics of Western Spirituality (New York: Paulist Press, 1989). A small selection is published by Sebastian P. Brock and George A. Kiraz, eds., Ephrem the Syrian: Select Poems, Eastern Christian Texts (Provo: Brigham Young University Press, 2009). For a comprehensive bibliography of St Ephrem’s writings, relevant studies and translations see Kees den Biesen, Bibliography of St Ephrem the Syrian (Giove in Umbria: self-published, 2002).

5. The city of Nisibis (modern Nusaybin), located today in southeast Turkey but once part of Mesopotamia, was an important centre of early Syriac Christianity and site of the School of Nisibis.

6. Edessa (modern Urfa), located today in southeast Turkey but once part of upper Mesopotamia, was an important city throughout antiquity and the Middle Ages. It is considered the traditional birthplace of the Syriac language and was an important centre of early Syriac Christianity.
flock through his many hymns. In the last stanza of the collection he offers this prayer:

\begin{quote}
O Lord, may the works of your herdsman ['allono] not be defrauded; for I have not troubled your sheep, but as far as I was able, I kept the wolves away from them, and I have built, as far as I was capable, sheepfolds of hymns [tyore d-madroshe] for the lambs of your flock.7
\end{quote}

In addition to the many qualities of St Ephrem already mentioned, one may also add that he was a man of great vision with a gift of reading and interpreting the signs of the times, especially with regard to the education and instruction of women and their role and ministry in the church.

Much about St Ephrem and the way the community received his wisdom, vision, and teaching became known through the writings of St Jacob of Sarug (c. 451–521),8 another distinguished Syriac poet whose reputation is second to that of Ephrem. Jacob of Sarug was born in the village of Kurtam, on the Euphrates, in the ancient region of Srug (modern Suruç in Turkey). He was educated in the famous School of Edessa, where St Ephrem had spent the final decade of his life and had died. At an unknown date, Jacob was appointed Chorepiscopus of Hawra, and in 519 he was consecrated Bishop of Batnan da-Srug. During his life, Jacob encountered major challenges for the Christian community in Mesopotamia. Jacob was born in 451, the year of the Council of Chalcedon, which caused a major split in Eastern Christianity. Jacob thus experienced the fierce imperial persecution of anti-Chalcedonians. Lamenting the Council of Chalcedon, Jacob “disliked the analytic approach to theology current in the controversy that followed the council of 451; his preference was

8. St Jacob of Sarug has composed many metrical homilies (mostly of the dodecasyllabic meter) that deal with the biblical exegesis. Undoubtedly, Jacob has the largest corpus of metrical homilies in the Syriac tradition, comprising over 400. There are nearly 200 modern editions and translations of his works. The two well-known Syriac editions are: Paul Bedjan and Sebastian P. Brock, eds., Homilies of Mar Jacob of Sarug, 6 vols. (Piscataway: Gorgias Press, 2006); and Roger-Youssef Akhrass and Imad Syryany, eds., 160 Unpublished Homilies of Jacob of Serugh (Damascus: Syriac Orthodox Patriarchate, 2017).
for the theology of symbol and paradox that characterized Ephrem’s approach.”\(^9\)

Jacob also encountered the sufferings of the citizens of Amida (now Diyarbakir), who at the time of the Persian invasion of north Mesopotamia (502–503) were put to the sword or taken captive, causing the Christian inhabitants of many neighbouring cities to consider leaving their homes to seek refuge to the west of the Euphrates. He wrote letters of encouragement to different cities calling the faithful to be courageous. Persecution was thus an important aspect of the community Jacob served.

Jacob of Sarug composed a metrical homily on Ephrem\(^10\) in which Jacob presents him, among other things, as a teacher actively involved in the catechetical and educational life of the church on a daily basis. Jacob devotes a great part of his homily to the theme of Ephrem’s ministry among the Syrian women. This is a remarkable feature considering how little is heard about the role of women in liturgical worship in the early church. The homily is of a particular significance today for its exceptional treatment of theological and exegetical topics on the role and ministry of women in a liturgical setting. It is also of extreme relevance for understanding the reception of the changes Ephrem brought about, as Jacob not only endorses Ephrem’s decision to allow and provide for women to sing in the church and to utter proclamation, but he also lifts the status of Ephrem by likening him to Moses, thus giving Ephrem’s decision utmost authority.

**St Ephrem: From Silence to Singing Women**

Ephrem wrote a number of prose works, including commentaries on the biblical text and refutations of major local heresies. However, he is mostly known for his poetic works, the majority of which are stanzaic “teaching songs” known in Syriac as *madrose*. They were composed specifically for choirs of women. As David Taylor explains:

> These were composed in more than 45 different syllabic meters, and were intended to be sung as part of the liturgy, as some still are. Remarkably for his day, Ephrem created and trained choirs of women to sing these songs, thus

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not only giving women an active role in a church liturgy which was otherwise the preserve of men, but also providing them, and so their families, with some orthodox theological education in memorable form, which was essential in an age when the Church was under threat not only from old rivals but also from the Arians and, briefly, the pagans who were resurgent under the emperor Julian.\(^{11}\)

Ephrem, who considered praise as an essential factor in the life of every believer, saw that it was not right for women to be kept from it. Therefore, he decided that women too should sing out and glorify God, as he said, with their sweet voices and melodies. Consequently, he composed hymns specifically for women and taught them to sing new songs of praise with pure utterance. As Sebastian Brock has remarked, “Praise was, for Ephrem, an essential – one might almost say, prime – element in the life of a Christian. To praise God was both the joy and the duty of every created thing.”\(^{12}\) Knowing that true praise is itself a gift of the Creator, Ephrem invites Christ to attend another marriage at Cana, namely, the eucharistic service, and, to thus fill the mouths with praise. In his *Hymns on Faith, XIV: 1- 4*, Ephrem writes,

\[I \text{ have invited You, Lord, to a wedding-feast of songs,}
\text{but the wine – the utterance of praise – at our feast has run out.}
\text{[You are] the guest, who filled with good wine the jars;}
\text{fill my mouth with Your praise.}
\text{Refrain: Praise to You from everyone who has perceived Your truth.}
\]

\[The \text{ wine that was in the jars was akin and related to}
\text{this eloquent wine that gives birth to praise}
\text{seeing that that wine too gave birth to praise}
\text{from those who drank it and beheld the wonder.}
\]

\[You \text{ who are so just, if at a wedding-feast not Your own}
\text{You filled six jars with good wine,}
\text{do You, Lord, at this wedding-feast, fill, not the jars,}
\text{but the ten thousand ears with its sweetness.}
\]


Jesus, You were invited to the wedding feast of others,
Here is Your own pure and fair wedding feast: gladden Your worlds[^13]
For Your guests too, Lord, need
Your songs; let Your harp utter![^14]

In his *Hymns on the Resurrection, II: 2*, devoted to the Easter celebration, Ephrem describes how the sweet voices and joyful shouts of the infant girls and young women were also loudly and clearly heard in public liturgical celebration, giving praise to the Lord of glory:

> This joyful festival is entirely made up of tongues and voices:
> Innocent young women and men sounding like trumpets and horns,
> While infant girls and boys resemble harps and lyres;
> Their voices intertwine as they reach up together towards heaven,
> giving glory to the Lord of glory.
> Blessed is He for whom the silent have thundered out![^15]

And a little further on, in stanzas 8 and 9, Ephrem exhorts the entire church to offer fitting praise celebrating the feast of feasts, where everyone can join in offering their appropriate garland of praise:

> Let us plait a great garland for [Christ our Lord] . . .
> The chief pastor [bishop] weaves into it
> his homilies as his flowers;
> the priests their ministries;
> the deacons their lections,
> the young men their alleluias,
> the children their psalms,
> the chaste women their songs [madroshe],
> the rulers their benefactions,
> and ordinary people their virtues.
> Blessed is He who has multiplied victories for us.[^16]

[^13]: “Your young (people)” is offered as an alternative reading to “Your worlds.”
[^15]: Ibid., 170–71.
[^16]: Ibid., 175–76 (Author’s translation).
The Reception and Endorsement by Jacob of Sarug

The relevance and impact of St Ephrem in establishing the women’s choirs and granting them the responsibility of singing “instructive melodies” (qole d-malphonutho) are endorsed and justified by Jacob of Sarug from eschatological, typological, sacramental, and soteriological perspectives. It should also be stated that it is not known why Jacob addressed this topic. Was it a reaction to the persecution the people at the time encountered? Or were there tensions within the community about the role of women? This is simply not known. What is known, however, is that the women’s choirs among the Syriac churches continue to the present day.

Jacob is formidable in his effort concerning Ephrem’s establishment of women’s choirs. Thus, in his homily, Jacob, exhorting his listeners to pay attention to the story of Ephrem, also uses “sober inebriation” as a metaphor for the image of liturgical song. He states,

24. The new wine whose color and fragrance is from Golgotha;
   He gave as a drink for men and women to praise.
25. The fountain of melodies which, behold, has been passed down to all mouths;
   With his songs he has intoxicated the earth to meditate on him.\(^{18}\)

Following this, Jacob praises Ephrem for having created the women’s choirs to fight against the errors of heresy and idolatry and to offer praise and glory to God. He says,

40. Our sisters also were strengthened by you [O Ephrem] to give praise,
    For women were not allowed to speak in church.
41. Your instruction opened the closed mouths of the daughters of Eve;
    and behold, the gatherings of the glorious (church) resound with their melodies.\(^{19}\)

The same thought, as Sidney H. Griffith has observed, is voiced by Ephrem himself in one of his Hymns on Paradise. In Hymn VI: 8,\(^{20}\) Ephrem refers to

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18. I will follow the English translation in Amar, “A Metrical Homily on Holy Mar Ephrem.” I give the couplet numbers as they are in the text; in Amar’s edition these couplets come from 30–31.
20. Edmund Beck (ed. and trans.), Des Heiligen Ephraem des Syrers Hymnen de Paradiso und
the church as “the assembly of saints,” where each day “the medicine of life” is available. There, he also says,

*The serpent [ḥewyo] is crippled and bound*  
*by the curse,*  
*while Eve’s [ḥawo] mouth is sealed*  
*with a silence that is beneficial (Gen. 3:14)*  
*– but it also serves once again*  
*as a harp to sing the praises of her Creator.*

Next, Jacob, upon praising Ephrem as a distinguished hymn writer and dwelling at length on the beauty and significance of his profound theological teaching, claims that Ephrem was prompted to establish choirs of women “because in the task of composing hymns and homilies adequate for teaching God’s truth, he realized eschatological significance of women’s participation.”

Jacob writes,

42. *A new sight of women uttering the proclamation [koruzutho];*  
*And behold, they are called teachers [malphonyotho] among the congregations.*

43. *Your teaching signifies an entirely new world;*  
*For yonder in the kingdom [of heaven], men and women are equal.*

44. *Your effort made the two sexes into two harps,*  
*And men and women began simultaneously to sing [God’s] praises.*

In his homily, Jacob not only endorses Ephrem’s introduction of women singing in the church, he also underscores the relevance of the change by drawing a parallel between Moses and Ephrem. He turns to Exodus 15, which narrates the celebration of the Israelites after the crossing of the Red Sea. This passage, as seen in the first two couplets below, serves as an opportunity for Jacob to portray the blessed Ephrem as “the second Moses for women,” who “handed tambourines to the [Hebrew women] in the wilderness” and who taught the “Aramean women” (that is, the Syriac-speaking Christian women)


23. Ibid., 34–35.
“to give glory with their hymns.” This is followed by a lengthy comparison of the two acts of salvation. Jacob says,

47. The wise Moses caused the virgins
not to hold back from the praise that was requisite;
48. Likewise the blessed Ephrem, who became a second Moses for women folk,
taught them to sing praise with the sweetest of songs.

...  
51. Greater is this glory than that which was there,
just as the salvation which here is greater than that one.
52. By that salvation, the sea was torn asunder before the daughter of Jacob;
by this one of ours, tombs are bursting open by the power of our Lord.
53. Then, Pharaoh the king was drowned because [his heart] was hardened,
but now death is swallowed up and extinguished by Life.
54. Then, a staff built a wall in the seas that had been breached,
but now, the cross in solid rocks has worked stupendous deeds.
55. Then, a path in the sea was opened, and the tribes passed through;
but now the devouring Sheol is broken, and the nations stream out.
56. That salvation put to death the living of Egypt,
but this one of ours made the dead rise from [their] tombs.

...  
58. Then, arose the proud bride from the sea
and the Hebrew women beat the tambourines to give glory.
59. But now that the redeemed Church has bathed in baptism,
with the chants of Ephrem the sisters clap to make joyful sounds.²⁴

Once he has established the superiority of salvation in Christ, Jacob is free to describe at length the power of salvation worked by God through Moses. This portion of the homily culminates with the description of the Israelites’ song of praise and thanksgiving to the God who saved them. Enlarging again on the biblical account, Jacob says,

79. [It is] as if these [words] were spoken by Moses
to the chaste women whom he invited to give praise:
80. Let you [Syriac Christian women] also not be reserved today with respect to praise;
beat the tambourines before the Savior who freed his people.
81. Not for men alone was salvation [given,]
so that they alone should give glory to the One who saved them.

²⁴. Ibid., 36–39.
82. At the sea you crossed over with your brothers and your fathers; 
shout out praise with them in a loud voice for your salvation.
83. You, like your husbands, have seen stupendous deeds and wonders; 
with them give glory to God Almighty with your hosannas.
84. One salvation was accomplished by God for you and for them; 
let one praise arise from your mouths.”

After having described the salvific act of God in relation to Israel and the 
role of Moses, Jacob links this to the role Ephrem played not only in enabling 
the women to speak, but in allowing the community to give praise together to 
God for his wondrous deeds. Jacob writes:

96. The blessed Ephrem saw that the women were silent from praise 
and in his wisdom he decided it was right that they should sing out;
97. So, just as Moses gave tambourines to the young girls, 
thus did this discerning man compose hymns for virgins.
98. As he stood among the sisters it was his delight 
to stir these chaste women into songs of praise;
99. He was like an eagle perched among the doves 
as he taught them to sing new songs of praise with pure utterance.
100. Flocks of meek partridges surround him, 
learning how to sing a new song of praise with a purity of voice.
101. He taught the swallows to warble 
and the church resounded with the lovely voices of chaste women.

For Jacob, then, the women’s choirs established by Ephrem not only pro-
claim that with Christianity a new era has begun for humanity, but they also 
endorse that new system by the very fact that they include female along with 
male voices.

Conclusion

The use of women’s choirs in the church is astounding; in spite of the admoni-
tion of the apostle Paul for women to remain silent in the church, Ephrem pres-
te his church with “a new sight of women uttering the proclamation,” that is 
 to say, proclaiming the gospel. As Susan Harvey remarks:

25. Ibid., 44–45.
26. Ibid., 48–49.
27. Ibid., 140.
These women sing the very teaching by which Christianity exists, by which salvation has come. So dramatic is the act of women in this role, that Jacob declares it images “an entirely new world.” In Jacob’s account, just as men and women are equal in the heavenly kingdom to come, so too, is that kingdom imaged and anticipated in the Syriac liturgy with its male and female choirs.28

This short study reveals that the metrical homily of Jacob of Sarug defends the custom of having women’s choirs sing Ephrem’s hymns. Jacob points out that this liturgical role for women was invented by Ephrem but that the innovation itself was based on and inspired by the scriptures. Also, women’s choirs were considered to be useful in combating heresy and idolatry by providing women and their families with an Orthodox theological education in memorable fashion. In many respects, Ephrem thus moved away from a literal interpretation of the scriptures to opening the possibility of considering the gospel message in light of the times and circumstances.

Ephrem’s transformation from the prohibiting of women’s voices to making provisions for them to sing and give praise to God in the church, combined with the support Jacob of Sarug gave to this transformation by likening Ephrem to a second Moses, has ever since offered the Syriac Orthodox a paradigm for responding to pastoral issues. Ephrem, having seen the need in his time, responded appropriately with a remedial solution while drawing upon the sources of the church’s therapeutic tradition of the Syriac Orient rooted in the Semitic world that the Bible and Christianity sprang from.

Indeed, the topic of women choirs is far more than a mere example of a change. The approach of Ephrem has come to serve the Syriac Church as a hermeneutical key to address issues that occurred over the course of history. This approach continues to serve the church: for example, when addressing the role and ministry of women in today’s church and in particular in the liturgy. In that sense, we can finish this contribution with the following appropriate hymn of St Ephrem, who insisted that women take their rightful place in church choirs, which remains an inspiration to the present day:

Take part, O assembly of young women!
Clap hands and sing songs of praise.
For behold: the Virgin has given birth to a great Wonder
And she became a great wonder for the whole world.29

28. Ibid.
MARRIAGE
15. The 1930 Lambeth Conference and Artificial Contraception

A Paradigm of Anglican Moral Discernment

John Gibaut

“We need to recognize that, if intelligible structure, developing and ordered complexity, is the story we have to tell, if the point of genes is to carry information, then the reality of the universe as we know it is suffused with the possibility of mind.” So writes Rowan Williams in a review of a book on the science and religion debate, *Darwin’s Pious Idea*, by Conor Cunningham, and its treatment of the place of genes in evolutionary theory. While the book (and its reviewer) are touching on entirely contemporary questions, Rowan Williams’s assertion that “the reality of the universe as we know it is suffused with the possibility of mind” belongs to the classical Anglican theological heritage, with antecedents in patristic and medieval theology. Within the Anglican tradition, such a view of the universe comes under the broad heading of “Reason.”

This article examines the place of reason within classic Anglican theological method, with particular focus on Anglican moral discernment. It will examine the ways reason was used as a source of authority in a controversy over a divisive issue of sexual ethics in the Anglican Communion, namely artificial contraception. The article will give particular focus to the 1930 Lambeth Conference, which was the first to give (limited) approval to the practice.

1. This article is a revision of a chapter by the author that first appeared as “Reason as a Source of Authority in the Anglican Tradition” in *Sources of Authority, Volume 2: Contemporary Churches*, Faith and Order Paper No. 218, ed. Tamara Grdzelidze (Geneva: WCC Publications, 2014), 91–106.

Scripture, Tradition, Reason

From the teaching of the formative post-Reformation English theologian Richard Hooker (c. 1554–1600), Anglican theological methodology has recognized the authority of scripture, tradition, and reason. Yet Hooker cannot claim the place within the Anglican tradition that John Calvin or Martin Luther occupies in their respective traditions, for it is not a systematic theology that Hooker bequeathed to Anglicans, but a theological method.

By identifying reason with scripture and tradition as authoritative, Hooker develops a distinctive post-Reformation Anglican theological methodology. For Hooker, reason is intimately linked to Tradition, and especially to the scriptures. Reason, for instance, is necessary for an accurate and intelligible reading of the scriptures. Hooker’s insistence on a reasonable reading of scripture was a defence against an ahistorical – and eventually fundamentalist – reading of the Bible, which could reduce the scriptures to a proof text rather than as a means to salvation. Such a reasonable reading of scripture, Hooker argued, could even justify the church acting against something prescribed in the scriptures if the particular passage in its historical setting could be shown to be irrelevant in the present context. He goes on to say that reason is competent to deal with questions and issues that are not raised in the scriptures, such as ecclesiastical polity. Such assertions need to be read within the classic Anglican affirmation that “Scripture containeth all things necessary to salvation” rather than as systematic treatment of doctrinal theology, canon law, church structure, or liturgy. Accordingly, for Hooker, scripture is entirely sufficient when it comes to salvation and everlasting life.

Reason: Medieval Antecedents

Hooker’s insistence on the place of reason places him squarely within the medieval scholastic tradition best represented by thinkers such as Anselm of Canterbury (c. 1033–1109) and Thomas Aquinas (c. 1225–1274). It is frequently noted that Hooker’s writings on reason and natural law stem from the Summa theologica of Thomas Aquinas.3

Anselm’s understanding of theology as “faith seeking understanding” (fides quaerens intellectum) is one of the great medieval aphorisms linking faith and

reason. In the *Proslogian* Anselm posits an ontological argument for the existence of God, thereby supporting the understanding that human reason is capable at arriving at the idea of God.\(^4\)

The place of reason in theology reaches its medieval zenith in the methodology of Aquinas. Against, on the one hand, some contemporaries who would insist that knowledge of God is simply a matter of faith known only by revelation, and on the other, natural theists who rejected everything that was not self-evident, Aquinas insists on the necessity of divine revelation. But he also argues that features of the world itself imply the existence of God. In so doing, Aquinas places faith and reason together in an integrated understanding of experience.

Moreover, using the recently recovered methodology of Aristotle, particularly natural philosophy, Aquinas reflects the 13th-century desire to connect theology with science. In so doing, he agrees with Aristotle that the world is intelligible and that human reason is naturally capable of understanding it. When it comes to the supernatural, there is no understanding without grace. And yet human reason can prove God’s existence by examining God’s effects in the natural world; hence, reason is a source of the knowledge of God. In other words, Aquinas holds faith and reason together in a balance, which is evident in his teaching on natural theology. It is in the area of natural ethics, that Aquinas pushes the boundaries of theology in which reason determines our ethical norms and obligations, but which are attained through God’s grace, especially through the sacraments. But in the end, Aquinas will affirm that grace does not destroy nature, but rather presupposes and perfects it. And human reason, without revelation, can discern the ethically good.

The authoritative place of reason for theologians such as Anselm and Aquinas was by no means a general trend in the medieval period, and by the end of the Middle Ages it was hotly contested, anticipating some of the debates on authority – and the authority of reason – during the later 16th-century Reformation.

**Reason: The Teaching of Richard Hooker**

From Hooker onwards, there has been considerable disagreement amongst Anglicans about what constitutes reason. Such confusion has its roots in medieval disputes about the place of reason in theological discourse, and what reason means. While Anglicans have no single definition about what constitutes

reason, there is a convergence on the significance of reason within theological methodology.

Hooker understood reason in two senses. The first is in continuity with classical and medieval antecedents, related to the rational or natural law that is manifested in God’s creation, which is itself grace-filled and intelligible. Contrary to some European Protestant teachings that God’s laws are exclusively revealed in scripture – a tradition also with antecedents in late medieval theology, such as nominalism – Hooker affirms that God’s nature and God’s creative action are reasonable, and that God has given to human beings the faculty of reasoning that enables us to discern God’s nature and goodness, which means for Hooker, God’s own reasonableness. This brings Hooker close to the medieval natural law tradition that affirms that God is revealed to human beings in creation and in history.

This first sense of reason reflects a particular understanding of God and creation, and with it an optimistic theological anthropology that affirms the human person’s capacity both to reason and to recognize the reasonableness of creation. This sense of reason as a foundational element of theological anthropology would be developed much further by later Anglican theologians such as the Cambridge Platonists, who argue that reason is the intermediary between both natural and revealed theology. As Rowan Williams summarizes Hooker on this point,

Our reasoning about God’s nature as displayed in God’s action as creator and redeemer guides our will toward those acts or policies that will intensify our vision of the divine wisdom. Part of what sets Hooker rather at an angle to much of the debate of his day is the fact that he is less interested in how God is to be “pleased” or “satisfied” than in how human creatures are to be healed of what impeded their vision and their joy.5

Hooker teaches that reason is God-given; and thus reason – with scriptures and the Christian community’s own past experience, or tradition – is a basis for decision-making for those things that do not affect salvation.

The second sense of reason for Hooker is of a more ecclesiological character: a public or corporate reason that is the collective wisdom of the Christian community—the church—over time and in history. This collective wisdom is contrasted with private judgments of individuals and, again, stands at odds with the Reformation stress on the individual. In this sense, reason is intrinsically linked to tradition. As Peter Lake has succinctly stated,

For Hooker, the traditions of the Church took on the status of collective reason, the time tested wisdom, of the community of Christians. The laws and customs of the Church no less than those of the commonwealth represented the local applications, by public authority in church and state, of the rationally apprehended dictates of the law of nature.6

It is important to note that while later Anglicans will customarily refer to “Scripture, Tradition, and Reason,” Hooker’s own ordering was scripture, reason, and tradition/custom, reflecting the second understanding of reason as the church’s corporate wisdom through history, which leads to the theological importance of tradition. It is also interesting to note that for Hooker, the place of reason in theological method is linked with ecclesiology; this link would continue well into the 20th century in Anglican theological methodology.

It was Hooker’s emphasis on reason as implicit in creation that led subsequent Anglican theological methodology to interact, engage, and incorporate the insights of the natural sciences. Anglican theological engagement with scientific discoveries is deeply connected to theological developments from the 17th century.

The same emphasis on reason is evident in the slow and often divisive debates within later Anglican theology in the 19th century around questions of biblical criticism and Christian attitudes to new scientific developments, such as evolution.

Reason as a Source of Authority: Artificial Contraception, Lambeth 1930

Hooker’s teaching on the place of reason in later Anglicanism is evident in a number of Lambeth Conferences, as the bishops of the Anglican Communion wrestled with the issues of the day, and had recourse to the theological methodology bequeathed to them. The Lambeth Conference of 1930, with its resolution on artificial contraception, is a useful “case study” demonstrating how reason as a source of authority functioned in a pivotal Anglican instance of moral discernment.

Anglican controversy and debate on artificial contraception first emerged at the Lambeth Conference of 1908, when the bishops were unequivocally against it:

The Conference regards with alarm the growing practice of the artificial restriction of the family, and earnestly calls upon all Christian people to discountenance the use of all artificial means of restriction as demoralising to character and hostile to national welfare (Resolution 41).7

The bishops of the 1920 Lambeth Conference repeated the same teaching.8 By the Lambeth Conference of 1930, the opinion of the bishops had widened considerably. Their lengthy deliberations culminated in Resolution 15:

Where there is clearly felt moral obligation to limit or avoid parenthood, the method must be decided on Christian principles. The primary and obvious method is complete abstinence from intercourse (as far as may be necessary) in a life of discipline and self-control lived in the power of the Holy Spirit. Nevertheless in those cases where there is such a clearly felt moral obligation to limit or avoid parenthood, and where there is a morally sound reason for avoiding complete abstinence, the Conference agrees that other methods may be used, provided that this is done in the light of the same Christian principles. The Conference records its strong condemnation of the use of any methods of conception control from motives of selfishness, luxury, or mere convenience. (Resolution 15)9

The note attached to the resolution includes how the bishops voted: it was carried by a vote of 193 bishops in favour, and 67 opposed. Habitually, bishops normally pass Lambeth Conference resolutions unanimously, with no recorded vote. In this case, it was important to signal that there was not a consensus.

The affirmation of the authority of reason at the Lambeth Conference of 1930 is evident in the debates and resolutions much earlier than Resolution 15, particularly in the report of the committee on the Christian Doctrine of God and in the adopted resolutions on the same. Resolution 2, for example, expresses the belief that the increase of knowledge about the ordering of the universe and the created processes of creation calls for a fresh presentation of the Christian doctrine of God.10

Resolution 3 affirms the authority of scripture as it reveals the truth of God in its historical context, and in its “progressive revelation” in both the Old and New Testaments. It identifies the centre of scripture’s teaching to be

8. Ibid., 65.
9. Ibid., 72.
10. Ibid., 68.
the doctrine of God, with Jesus Christ as the hermeneutic for all revelation: “We believe that the work of our Lord Jesus Christ is continued by the Holy Spirit, who not only interpreted him to the Apostles, but has in every generation inspired and guided those who seek truth.”11 It excludes the understanding of the Bible as a collection of separate oracles, each containing declarations of truth, and understanding scientific inquiry as its subject matter. In other words, it advocates a reading and interpretation of scripture within the light of reason.

Resolution 5 identifies the discoveries of modern science, in terms of both the increase of knowledge and the alleviation of suffering, as gifts of God to be received with thanksgiving and responsibility.12 Such increases in scientific knowledge led the bishops to urge that throughout the Anglican Communion, theology be studied in university contexts in a critical dialogue with philosophy and science: “The intellectual meaning and content of the Christian doctrine of God cannot be fully apprehended without the aid of the highest human knowledge.”13 While the word “reason” does not appear in the resolutions, the bishops emphasize “the enlarged knowledge gained in modern times of God’s ordering of the world,” “the aid of the highest human knowledge,” and the recognition of the gifts of God in “the modern discoveries of science”; these all find their place within historic Anglican discourse on the authority of reason.

When the bishops turned to the ethically (and ecumenically) sensitive issues of marriage and sexuality, culminating in the decisive change of teaching on artificial contraception, they continued in the same direction as the resolutions on the Christian doctrine of God. The section report on “The Life and Witness of the Christian Community: Marriage and Sex” begins:

It seems to us, a new day has dawned, in which sex and sex-matters are emerging from the mists of suspicion and even shame, in which for centuries they have been enveloped, into the clear atmosphere of candour, honesty and truth. The complete openness with which such subjects are discussed is on the whole to the good, for they have been taken from the obscurity of half-secret conversation and brought out into the cold light of knowledge and experience.14

Elsewhere, the very language of the section-report resonates with classic Anglican understandings of reason:

11. Ibid., 68–69
12. Ibid., 69.
13. Ibid., 70.
It must be recognised that there is in the Catholic Church a very strong tradition that the use of preventative methods is in all cases unlawful for a Christian. We acknowledge the weight of that testimony, but we are unable to accept that tradition as necessarily final. It must be admitted that it is not found on any directions given in the New Testament. It has not behind it the authority of an Oecumenical Council of the Church. Moreover, it is significant that the Communion which most strongly condemns in principle all preventative methods, nevertheless in practice recognises that there are occasions when a rigid insistence on the principle is impossible. If our own Communion is to give guidance on this problem, it must speak frankly and openly, with a full appreciation of facts and conditions which were not present in the past, but which are due to modern civilization.15

Here, the interplay between scripture and tradition, with the ecumenical dimensions involved, is cast in fresh light by what Anglican theological methodology identifies as “Reason.” With Hooker, the 1930 Lambeth Conference bishops affirm that God’s reasonableness is discernible in creation and in history, including in particular historic contexts.

While the bishops clearly prefer abstinence as the highest form of birth control, they affirm “there exist moral situations which may make it obligatory to use other methods. To a certain extent this obligation is affected by the advice of medical and scientific authority.”16

Ongoing Questions

The 1930 decision of the Lambeth Conference marked a new teaching, which the bishops acknowledged. It was preceded by decades of bitter intra-Anglican debate that were evident in the 1930 debates, and in the absence of unanimity in the vote. Anglican moral discernment on artificial contraception was not fully resolved until the Lambeth Conference of 1958, which gave unqualified support for family planning. Yet there remain methodological questions on moral discernment that Anglicans and their ecumenical partners need to ask regarding the new teaching on birth control emerging from Resolution 15 of Lambeth 1930, and its discernment.

In its struggles on these contentious issues, which all churches face to some extent or other, were the Anglican debates and resolutions of these issues at Lambeth 1930 an instance of moral relativism? Did Lambeth 1930 place

15. Ibid., 90.
16. Ibid., 91.
Anglican moral discernment within the parameters of liberal Christianity? While these questions verge on the stereotypical, they were indeed posed within and beyond the Anglican Communion in 1930 over the issue of contraception, and subsequently on later issues of Anglican moral discernment such as divorce and remarriage, polygamy, and human sexuality. Answering these questions must take into account the classical role of reason within Anglican theological method and moral discernment, and its role as a source of authority in doctrinal, moral, and pastoral decision-making.

In 1930, the Lambeth Conference made an appeal to the broad category of reason. Yet the bishops put reason in dialogue with tradition and within biblical Revelation. Methodologically, at least, the way the bishops arrived at the new teaching on artificial contraception was consistent with Anglican theological methodology from the 16th century, with clear precedent in the medieval scholastic tradition of the thirteenth century, and earlier.

The 1930 Lambeth Conference decision also reflects an ecclesiological sense of reason constituent of Anglican tradition, namely the church as the locus of a public or corporate reason that is the collective wisdom of the Christian community over time and in history. The Lambeth 1930 decision on artificial contraception was a paradigm of ecclesial moral discernment.

The decision of the 1930 Lambeth Conference was disputed within and beyond the Anglican Communion. Whether Anglicans or others agreed with Resolution 15 or not, it needs to be assessed within a particular Anglican interplay between scripture, tradition, and reason, within an ecclesial, conciliar process, and within an interplay of sources of authority that ultimately go back in time beyond the divisions of the 16th century, and indeed, to the undivided church. The content of the decision is open to legitimate criticism; the classically Anglican manner of the decision, with its appeal to the authority of reason, however, deserves a measure of ecumenical deference and understanding.
Marriage in Africa poses a great dilemma in practice because of the plethora of beliefs, cultures, and traditions that pertain to the institution of an acceptable pattern or form of marriage: polygamy or monogamy? The practice of polygamy cuts across the African continent such that some critics discern that polygamous tendencies remain rooted in the mind of most African males regardless of their level of civilization or education or the social or religious background. The practice is generally accepted by some African women, even against their wishes, in most rural areas where traditional practices are still very much upheld. The practice of polygamy may not be dominant across the whole of Africa, but it is still very prominent in western Africa. Though Christianity is a dominant religion in Africa, it has not succeeded in bringing African Christians to denounce polygamy outright. It is still very much in practice in various forms. The Presbyterian Church in Cameroon is a case in point.

The debate surrounding polygamy is still fierce in many countries and churches in Africa. Many people argue that men are naturally and culturally polygamous. They may not be officially married or legally married to more than one wife, but unofficially many of them have a second or even a third wife outside their matrimonial homes. From a surface analysis, some African men seem to exhibit monogamous tendencies, but many of them in the depths of their minds are polygamous. In many African countries (Cameroon included), polygamy is permitted by customary and civil laws. The practice is prevalent among Christians and non-Christians. It is not, therefore, strange to find many Christians signing polygamous marriages at the civil registry, an indication of their intentions to get married to another wife at some point or another.
The Role of Christianity

One may then ask whether Christianity in Africa regulates the way of life and guides decision or is only a philosophy of existence. Puzzling questions must be asked: Considering that some African states accept Christianity as a way of life, how is marriage defined according to the African polygamous mindset? What are the theological implications for marriage and polygamy? This article therefore has as the objective to examine the origins and reasons for the practice of polygamy in Africa, the impact of polygamy on family and social cohesion, the theological implication of polygamy, and the practice of polygamy in contemporary African society. For instance, how does the Presbyterian Church in Cameroon, a church of the Reformed Tradition, discern decisions concerning the practice of polygamy amongst its adherents?

Marriage and Social Cohesion

Polygamy is derived from a Greek expression meaning many marriages in other words, it is a form of marriage involving more than two partners. It is even better defined as a form of marriage of a person having more than one spouse at a time, the reason being that it can involve polyandry. Many examples of polygamous marriages can be found in the Old Testament that are not generally accepted by contemporary Christians. Many Christian thinkers would like to know whether the New Testament or Christian ethics allow or forbid polygamy. The Old Testament does not explicitly prohibit polygamy. The Torah sets regulations for the practice of polygamy. “If he takes another wife to himself, he shall not diminish her food, her clothing, or her marital rights” (Ex. 21: 10; compare with Deut. 21:15-17). The emphasis in the quoted Bible text is on material capability and the maintenance of marital rights, not the number of wives one marries. In Cameroon and in many African countries, particularly in western Africa, multiple marriages or having many wives are considered normal practices and a realistic situation in cases of childlessness with the first wife – even if one had intended to be monogamous. The belief in Africa that a person is considered a “man” only if he has fathered a child, particularly a male child, has led some people, including Christians, into unintended polygamous life. The practice of levirate is authorized even by the Old Testament (see Deut. 25:5-10). But when we look at the post-exilic Israel, polygamy was an exception. “The practice

2. This is a biblical practice that is instituted for a man to compulsorily marry the widow of a childless brother in order to bear children for the late brother and maintain the brother’s line.
began to be criticized and declined during Intertestamental Period but there is some extant evidence of polygamy being practiced in the New Testament period.”

The teaching in the New Testament of three principal passages (1 Tim. 3:2; 1 Tim. 3:12; and Tit. 1:6) indicate that church leaders shall be married only to one wife. Is this really a prohibition of polygamy to all Christians or a qualification for those who aspired to leadership positions in the church? If a literal reading is given to the texts cited above and its interpretation contextualized, one would arrive at the conclusion that only those who aspire to leadership positions in the church shall be monogamous. On the other hand, if we propagate the teaching of universal priesthood of all believers in which church leadership is shared between the clergy and the laity, we could conclude that polygamy is prohibited to all Christians following Paul’s teaching.

On the whole and in fairness to the scriptures, polygamy is actually not a pre-occupying topic in the New Testament, in spite of Matthew 19:3-9 (see also Gen. 2:24). The expression of the two becoming one flesh seems to be linked more to a physical than to a spiritual union (1 Cor. 6:16). Polygamists do not dispute that in marriage “two shall be one flesh,” they only disagree with the idea that a married man can only be “one flesh” with one woman. Assuming the man is married, the fact that a man can even be “one flesh” with a harlot apparently does not negate his being “one flesh” with his wife. Further, if a man is married, he and his wife are “one flesh.” To add another wife would mean that the new wife becomes “one flesh” with the man and his current wife.

In summary, one can conclude that Paul’s emphasis on church leaders to be married to only one wife is indicative of the fact that polygamy was a common practice but “probably” prohibited to those who aspired to church leadership.

Nowadays, the term refers to a marriage situation where a man has two or more wives, sometimes also referred to as polygyny. Polygyny is opposed to polyandry, which refers to a marriage situation where one woman has more than one legally married husband. Polygamy is a comparatively widespread phenomenon in Africa and elsewhere, whereas polyandry is almost a foreign phenomenon in Africa.


The Case for Polygamy

Polygamy is a widely accepted cultural norm across the African continent. John S. Mbiti argues that the prime purpose for a man to marry more wives was for procreation and the security of a family name, which could be achieved through marrying many wives and begetting many children. The strength and the importance of a man were seen in the number of wives and children he had. Children were an asset to the entire family as a source of economic wealth and a security defence force in a hostile environment. For this reason, children are seen as a means to immortalize the family name and create wealth for the family head.

Polygamy was considered a normal cultural pattern of life during pre-colonial Africa. An example is cited of the Paramount Chief of Bamumbu, Fon Lekunze in Cameroon, who had one hundred wives and hundreds of children. According to many studies on polygamy in Africa, it was only after the colonization of Africa that polygamy sounded odd and even taboo in some contexts. The condemnation of polygamy is then linked to the arrival of colonial exploiters and the early missionaries to Africa and the interpretation of certain biblical texts. The teaching against polygamy was propagated by the European missionaries, who spread their thoughts over and against the cultural values of the African people toward the acceptance of the norms of their own form of marriage: monogamy.

Fenke argues that the polygamy belt stretching from Senegal to Tanzania, that is, from west to east Africa estimates that one-third of women married or to be married become women in polygamous homes. The facts responsible for the prevalence of polygamy are many and varied. Many scholars like Mbiti, Iteka, Gitari, and Shorter have written valuable studies on the reasons for the high percentage of polygamy in Africa.

Barrenness is most often cited reason for polygamous situations. This happens in cases where the first wife is unable to give birth to children or to give birth to a male child, which is considered a symbol of continuity of the paternal family. In such a situation, the husband desires to marry another woman he believes can bridge the gap of childlessness. This form of marriage is often contracted by the first wife, who goes in search of her co-wife to assist her husband.


6. The many children and wives were now the source of his economic power and at the same time, a security force for his protection in a hostile environment.

give birth to children, especially male children. It is worth mentioning that barrenness is often blamed only on the wife. In order to avert herself of a continuous blame, she goes in search of a fertile companion to help in her duties.

Hilman holds that polygamy is motivated by the desire to secure an alliance with prominent or rich families.\(^8\) According to Hilman, marriage in the African context is viewed more as uniting families and communities than the individuals involved. Many marriages are still contracted today on the basis of family relations and positions. With such reasoning, the stronger families strive to maintain their strength with other stronger families. He adds that a factor that makes a family strong and prominent in a community is polygamy, that is to say, the strength of the man is measured by the number of wives he marries and the number of children he has. Such numbers serve as both economic and security forces that guarantee their harmonious existence.

Yego, on the other hand, posits that polygamy in Africa is sharply motivated by economic reasons, such as the need for a labour force.\(^9\) The main economic activity in Africa is agriculture, wherein the greater percentage of the population is engaged. The labour force needed for the cultivation or for the pasturing is provided by the children of the family head engaged in agriculture. So, in order to ensure a consistent supply of the needed labour force, the men marry more than one wife to have many children to that effect. Since most of the farms are localized in the rural areas, polygamy is more prevalent in the rural areas than it is in the cities.

The socio-cultural factor cannot be underestimated as a contributing factor to the presence of polygamy in Africa. In some traditions, the widows of brothers or other family members are taken as wives by the surviving brothers. This is done as a way of caring for the dead brother’s family and ensuring the continuity of his family and ancestral lineages.

The Negation of Polygamy

Polygamy is sharply contrasted to monogamy in terms of social and especially family unity. Descendants from polygamous homes confess that the family unit in that situation is not strong as there is constant strife between the children and the wives, especially personality conflicts. Fenske cites some impacts of polygamy on society and on the family. According to this scholar, the prevalence

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of polygamy is the main factor behind Africa’s low saving rates. Many children are born to polygamous families without the adequate resources to either educate them or provide their basic needs. Polygamy sometimes results in the spread of sexually transmitted infections amongst the wives, and sometimes in increased rate of criminality among the children as a result of negligence and the lack of the means to adequately educate them. Pastoral counselling sometimes reveals that polygamy is a source of female depression, as a result of the competition amongst the wives, who may have to make appointment to see their husband for intimate relations, leaving room for a very high rate of promiscuity.

**Theological Implication on Polygamous Marriage**

Sam Owusu poses a pertinent question regarding the consent of polygamy and the gospel of Jesus Christ: How can church leaders in Africa deal with the challenge of the polygamous state of new Christians in a way that reflects the spirit of the gospel? This question is a bid to narrow the wide gap between monogamous and polygamous husbands, especially those who are Christians. A survey of churches today shows that all, regardless of denomination, denounces polygamy. The proof is that there is no liturgy set aside for the solemnization of polygamous marriages. This, though, has not stopped the African man from marrying more than one wife, as polygamous marriages can also be established by the civil courts and local councils in the course of legalizing the unions.

Even though the church conceives polygamy to be unethical and unchristian, polygamous husbands form part of the Christian body. The challenge is how to treat this Christian so as not to relegate him to the background or cause him to feel inferior before God and fellow Christians. The church often restricts polygamists from some Christian practices, such as participating in the Lord’s supper and baptism. In order to gain full membership in the church, the husband divorces the other wives except the first; otherwise, he cannot share in the Lord’s table because he is viewed as spiritually unfit, as polygamy does not reflect Christian practice or is totally sinful. The wives of the polygamists are admitted to participate in the holy sacrament together with their children.

The Presbyterian Church in Cameroon, descended from the Reformed Tradition, takes a stand against polygamy in its constitution, in which wives

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of polygamists are admitted to full membership in the church but not their husbands.

Marriage being an institution ordered and blessed by God, a symbol of the relationship between Christ and His Church, should not be contracted without careful thought and dependence upon the Lord for guidance . . . The Church disapproves of polygamous marriages and therefore cannot accept any polygamist as a communicant member of the Church, though realizing that this brings hardship on many, particularly on those who married several wives before coming into contact with the Gospel. It however may grant membership to women who under the pressure of the present socio-economic structure of the country, are made to live in such polygamous marriages.12

David Mbengu, a New Testament scholar of the Presbyterian Church in Cameroon, points out how earlier on, in 1979, the same Presbyterian Church in Cameroon had been confronted by the issue of polygamy in the church and had set up a committee to advise the church on a way forward.13 The committee concluded thus:

Having examined both theological and ethical implications in this delicate subject, it was recommended that the Church should adopt a more sympathetic attitude towards polygamy. While intensifying its care for polygamists in places where Christianity has gained roots, the Church should uphold monogamy here but continue to study the problem. Meanwhile, in missionary areas, the group proposed that the Church should consider admitting to full membership those men whom the gospel met in a state of polygamy.14

The Synod of the Presbyterian Church in Cameroon, the highest ruling body of the church, did not adopt the report for action.

Festus A. Asana, a former synod clerk and moderator emeritus of the Presbyterian Church in Cameroon, examined the issue of polygyny as a counsellor who would like to see families live harmoniously in a religious, social, economic or political cohesion. He concludes his arguments for a harmonious life thus:

All types of marriages have problems peculiar to them but they generally have to do with human relations. There are problems which are identical in both monogamy and polygyny. The problems of spouse abuse, infidelity, divorce all resulting from disagreements, character, economic factors and cultural change. Also because of cultural change, marriages in Africa are taking new forms. The issue here, therefore, is not that of determining which type of marriage is worthy or unworthy. Rather, the success or failure of any marriage depends on the individuals concerned and the circumstances surrounding them, whether in a monogamous or polygynous [sic] union.15

The Presbyterian Church in Cameroon and other denominations have not been able to find a permanent solution to the problem of polygamy. The problem rages on and the debate continues in various forms. It is in this light that Sandy Mungong, another theologian of the Presbyterian Church in Cameroon, raised another argument concerning the validity of polygyny. He examined it not only theologically but also ethically. He states his argument thus:

Let us assume, that it is true, that polygyny is a deviation from the will of God, but it is crystal clear and true that the history of Christianity in the world is full of deviations from this norm and many others. Anywhere monogamy is the only officially accepted status of marriage, prostitution, adultery and mistressing [sic] have resulted. There is successive marriage going on even among devout Christians and pastors, which could be called consecutive polygyny. Compared with polygyny as practised elsewhere or in the third world, which in any case is now very negligible, makes polygyny more humane and more reasonable from an ethical point of view.16

The church’s position on polygamy emanates from the gospel, whereas Africans argue that polygamy is a result of their cultural belief. From the story of creation in Genesis 2:6-24, through God’s teachings by the apostles in the New Testament in Mark 10:5-8. In 1 Corinthians 7:1-16, there are inherent indications of monogamy, and not polygamy, being the biblical prescription of marriage. Considering this, polygamy has no biblical backing and is bound to be restricted in the church. Larbi holds that “the general presupposition of the church is that polygamy is inherently sinful and that those who contract

polygamous marriages live in sin. Furthermore, the church assumes that one cannot similarly love Christ and be a polygamist at the same time.”

This opinion by Larbi explains the church’s negative view of polygamy and of polygamists. The relegation of polygamists to the background from full exercise of Christian practices has caused them to be looked upon as inferior, unqualified, or incomplete Christians.

The Anglican Church in their conference on “The Missionaries’ position: Polygamy and Divorce in the Anglican Communion” made some provisions in 1988 concerning polygamy. The conference placed some restrictions to polygamous practices in resolution number 120 that bear witness to the truth that monogamy is the divine will testified by the teachings of Christ himself and therefore true for every race of men. Accordingly, any contrary practice dispels God’s original plan for mankind.

Surprisingly, we witness a change in the process of moral discernment concerning polygamy in the Anglican Church in their Anglican Communion, Resolution 26 under “Church and Polygamy.” The conference upholds, monogamy as God’s plan, and as the ideal relationship of love between husband and wife; nevertheless recommends that a polygamist who responds to the Gospel and wishes to join the Anglican Church may be baptised and confirmed with his believing wives and children on the following conditions:

1. That the polygamist shall promise not to marry again as long as any of his wives at the time of his conversion are alive.
2. That the receiving of such a polygamist has the consent of the local Anglican Community.
3. That such a polygamist shall not be compelled to put away any of his wives, on account of the social deprivation they would suffer.

The change of attitude and approach by the Anglican Communion toward polygamy within the context of today’s circumstances is not necessarily the same approach held by other churches in their contexts.

Accordingly, others maintain that God’s creation of Adam and Eve exclusively recalls God’s intent for marriage and its intent for the family. In the Old Testament, an attempt to deviate from the one-man-one-woman practice leads to disastrous consequences (Gen. 4:19). Lamech who took two wives and the negative consequences are recorded in Genesis 4:23 and 24 with the egoistic

murder as a means of maintaining his status as a polygamist. Glenn Davies explains that the history of mankind has evidence that there is a strong connection between oppression and violence where there is a departure from God’s original intention of marriage – monogamy.¹⁹

Polygamy in Contemporary African Society: The Case of the Presbyterian Church in Cameroon

The practice of polygamy in 21st-century Africa is in a fast decline (Fenske 2005). This is accounted for by factors from different sectors of society including economic, social and religious.

Economic hardship and low salaries, the increased cost of living, and inflation account for the drop in the number of polygamous marriages. In the Presbyterian Church in Cameroon, sound education among the women has allowed women to gain some levels of autonomy, thus reducing their dependency on men. Women’s education has enlightened them about basic rights, thus causing them to develop resistant attitudes toward polygamous practices. The economic power of women today and their involvement in political debates and decision-making organs of African nations have all empowered the African woman more than ever before, giving them a very high degree of determining their own destinies. We now witness the increase in single-parenting, which was a taboo in Africa. That alone has also curbed polygamy in many African communities, in which it was believed that it was an obligation for every woman to get married to avoid being stigmatized as an outcast.

The Role of Women in Decision-Making Bodies of the Church

Most women in the Presbyterian Church in Cameroon belong to the Christian Women Fellowship Movement of the Church, which has become the bedrock of the church. Through their well-written study materials, women are educated about their basic rights and privileges. They serve in local committees and boards and are members of decision-making bodies of the church. Some of them are members of the executive committees of their churches and serve as members of the synod, which is the highest ruling body of the church.

Female theologians are equally ordained and are ecclesiastical heads of presbyteries of the Presbyterian Church in Cameroon. Others serve as

congregational pastors and financial experts of many church organizations. In the discussion about polygamy, the enlightened and highly educated female wing of the church argues that, though marriage is not a sacrament, it remains a holy matrimony ordained by God and that it shall be contracted between one man and one woman.\(^{20}\) The re-reading of Bible texts, the understanding and interpretation of the texts within their original contexts and eventual application in contextualization, has enabled the church to determine the process of moral discernment based on Bible reading and interpretation within context.\(^{21}\) Hence; “Therefore a man leaves his father and his mother and cleaves to his wife, and they become one flesh” (Gen. 2:24).

In the Presbyterian Church in Cameroon, women put a lot of literary emphasis and interpretation on the oneness of the flesh and often cite Ephesians 5:31-32: “For this reason a man will leave his father and mother and be joined to his wife, and the two will become one flesh.’ This is a great mystery, and I am applying it to Christ and the church.”

### Change of Attitude

Christianity has continually preached the accepted form of marriage to be monogamy, as opposed to polygamy, but the debate continues in spite of the changing time. In order to accommodate polygamists who are excluded from the Lord’s table, the Presbyterian Church in Cameroon, through its synod as advised by the committee of the ministry, despite strong opposition from the women, decided thus:

The Presbyterian Church in Cameroon does not accept polygamy consequently, polygamists cannot be received into full membership of the church. Polygamists in the congregation can participate in every aspect of Church life except the sacraments and voting. Polygamists shall not be eligible to hold office of elders . . . and leader of any of the recognized Christian groups (Christian

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20. Also some male theologians point out the need to take issues of inequality, exploitation, and subjugation seriously, e.g., the Roman Catholic theologian from Kenya, Agbonkhianmeghe E. Orobator, “Eating from Many Dishes: Polygamy Reconsidered,” *Concilium* 2/2016, 27-35.

Women Fellowship, Christian Men Fellowship). But they may be elected as chair-persons or members of project committees, finance committees.22

The prevalence of consecutive or serial marriages, referred to as unofficial marriages perpetuated by monogamous husbands (seemingly prominent in the church), the increase of sexual abuse cases and sexual harassments by monogamous husbands, though not often reported by women, bring into question the validity of monogamy as opposed to polygamy.

The discussions about polygamy have been propounded recently by the acceptance of same-sex marriages by some churches in Europe and America that are in ecclesiastical relationship with churches in Africa. Some of the churches in Africa question the basis and the validity of same-sex marriages, especially as they are not convinced that there is a biblical basis for it. The question which is often asked is, “Why should anyone who believes in sola scriptura approve and accept same-sex marriages and reject polygamy?”

Many churches of the Reformed Tradition believe in sola scriptura and accept the Bible as the highest source of authority for the church. The church reads the Bible as the highest source of authority which is higher than any church tradition. The Bible for churches is therefore inerrant and infallible word of God. For them a literalist reading of the Bible is applied as opposed to a historical critical method. Following the above methodology of the study of the Bible, same-sex marriages become a strange form of marriage in Africa.

Polygamists have already worn the sympathy of many members of the church; they continue to impress on the leadership of the church for full membership as they argue that polygamy is not a sin but a cultural form of co-habitation that should be treated as such in the church. Another moderator emeritus of the Presbyterian Church in Cameroon, while serving as a synod clerk of the same church and in rendering his annual report to the 38th Synod, appealed for the forgiveness of polygamists thus:

I would like to plead a special case for polygamists. In doing so, I am not unmindful of the delicate nature of this matter and the unusual emotions that any discussion on this subject evokes . . . when we pray for forgiveness, we expect God to blot out all our sins . . . we should be prepared to do likewise to the others.23

Nyansako-ni-Nku, the moderator emeritus of the Presbyterian Church in Cameroon, thought that the synod was to reverse the decision against polygamists. The contrary was the case. The discussion was intense and the female members of the Synod, led by Grace Emene, the then leader of the women's movement, succeeded to cause the synod to reject the point. I recently posed the question of polygamy to Nyansako-ni-Nku when we met at a conference in Yaoundé Cameroon. I wanted to know what he thinks today several years after he first pleaded for the acceptance of polygamists into partial or full membership of the Presbyterian Church in Cameroon. His reply was that he has always believed, and continues to believe, that polygamy is more of a social and cultural practice that does not hamper anyone’s faith.

Polygamy in the understanding of a typical African Christian is both cultural and social. Polygamy is a form of marriage that does not contradict the Christian faith. If faith is really based on the true and faithful relationship between each individual and God, the call then is more for each polygamist to remain faithful to his wives than to claim to be married to one wife (monogamist) and yet harbouring mistresses or practising serial marriages.

The challenge rages on, and the way forward has to be based on more research and a continuous education in the churches. The issue of same-sex marriages must be carefully researched in order to establish a sound theological and biblical basis for its acceptance as a form of marriage to be practised by Christians.

Any attempt to deviate from the teaching of the Presbyterian Church in Cameroon about marriage as stated in the liturgy for the solemnization of marriage has proved futile. The church’s teaching on marriage is usually used by the women of the Presbyterian Church in Cameroon to reject any other form of marriage other than monogamy. The church in her liturgy, Book of Orders, and the constitution teaches,

Marriage is a gift of God in creation, a holy mystery in which man and woman become one flesh. It is God’s purpose that husband and wife, giving themselves to each other in love throughout their lives, signify for us the mystical union between Christ and his Church . . . it must not be taken carelessly, lightly, or selfishly, but reverently, responsibly, and after serious prayer and due consideration of the purposes for which it was instituted by God, and with the intention to obey his will.24

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Conclusion and Appraisal

As I conclude this article, I realize that the debate surrounding polygamy is not going away any time soon. Polygamy is not biblically prohibitive and it does not hamper a believer’s faith in Jesus Christ. It is rather linked to the culture of a people that demands matrimonial faithfulness and the protection of the family name in respect of ancestral lineages. Some Christians of the Presbyterian Church in Cameroon do not understand why a non-sacramental activity according to the doctrinal teaching of the Reformed Tradition becomes discriminatory and prohibitive. When the debate issued during the period of the Reformation concerning a couple’s inability to exercise their matrimonial intercourse because of sickness, Martin Luther said,

I confess that I cannot forbid a person to marry several wives, for it does not contradict the Scripture. If a man wishes to marry more than one wife he should be asked whether he is satisfied in his conscience that he may do so in accordance with the word of God. In such a case the civil authority has nothing to do in the matter.²⁵

Just as Martin Luther’s response to the question of polygamy is both dialectic and ambiguous as a result of the absence of definite and clear instructions in the scriptures, I am convinced there is no explicit prohibition of polygamy in the Bible. In the African context, polygamy is discussed as a cultural and a social activity of a people that does not contradict their faith. The Presbyterian Church in Cameroon has opened up and relaxed its attitude toward polygamy as a result of re-reading biblical texts within their original context vis-à-vis today’s context. The partial acceptance of polygamists in the church (though still excluded from the sacrament of holy communion) has also been greatly influenced by ecumenical dialogue in understanding what other churches do. The cultural mix of the church and intercultural studies with the intention of contextualizing the gospel, by making the gospel speak and address the people within their culture, has also accounted for the partial acceptance of polygamists in the Presbyterian Church in Cameroon. In spite of these adjustments and partial acceptance of polygamists in the church, the unity of the church has been maintained. And so shall the debate continue.

Interfaith marriage as it reflects social interactions in a religiously pluralistic society can be an important gauge for understanding the level of integration within the framework of changing social structures and norms. The extent to which interfaith marriages are possible and the degree of social and religious institutions’ acceptance of such families indicate the breadth and depth of such changes. In the case of Malaysia, interethnic and interreligious diversity has been a characteristic feature of its societal life, in part due to its early history and to a large extent to its search to find a national identity that would reflect such a diversity.

In the 63 years of its existence as a nation-state, the country had to navigate the diverse religious and cultural landscape and hold in creative tension the inclusive and exclusive tendencies of its democratic life, cradled in a situation of modernization and rapid social change. In view of the fact that Christians comprise a small minority in the country, the particular challenge of interfaith marriages taking place will always be existent and actual. It is a challenge also reflected in many other countries where the process of modernization is driving greater social interactions at all levels of society, and the old notions of the insular family boundaries are giving way to newer forms of cultural assimilation and social hybridity.

This paper will focus on one case of how the Methodist Church in Malaysia had to confront this challenge and deal with the issue of interfaith marriages, which are frequent and on the rise in the country. From a methodological perspective, this paper will review a shift in the theological position of the church on this matter. In its discernment process, the church had moved from an “open and flexible” position to a “closed and rigid” position. So the shift marks the abandonment of an earlier position, which now poses many pastoral concerns for those confronted with the reality of such marriages. What would the shift in
position say of the ecclesiological self-understanding of the church in relation to the pluralistic context in which it finds itself?

Situating the Issue

It is essential to understand Malaysia’s pre- and post-colonial history in order to understand the prevalence of religious pluralism of the country. The early history of Malaysia shows that it had been the centre of trade and commerce since the 10th century when Malay kingdoms existed and came under the influence of Hindu, Buddhist, and finally Islamic civilizations. The region was highly coveted due to its geographical position situated in between the Chinese, Indian and Arab civilizations. Successive periods of European colonization entered the Malay Peninsula with the Portuguese in 1511, followed by the Dutch (1646) and finally the British from the 19th century up to the independence of the country (1957).1

Before the advent of the European Colonizers from the 16th century onward, Peninsular Malaysia played host to traders from India and China, who navigated through the Malacca Straits and sought a half-way harbour for the ships to replenish their cargo of food and water supplies. The harbour of Malacca in time came to be an essential stop-over trading port, which developed into a cosmopolitan society that had a strong mix of Chinese, Indian, Arab, Malay and other indigenous cultures inhabiting the Malay Archipelago.

The inter-ethnic and interreligious marriages that came to the fore during that period led to the development of hybrid communities that assimilated local culture and forged inter-religious co-existence in unique ways. The existence of such communities has captured the interest of historians.2 One example is the “Peranakan” communities (also referred to as Straits Chinese), whose ethnic group formation stemmed from a long-term, intense assimilation process that was catalyzed by intermarriage between Chinese and native Malays, and had produced a distinct hybrid culture that holds Chinese and Malay aspects of culture in an interesting symbiotic mix.

With the advent of the Portuguese, in the 16th century, there was again a mix of cultures through interethnic marriages, which produced a hybrid Portuguese community that resided in Melaka. That community still holds on to their mixed cultural roots and continues to affirm their distinctiveness as a separate

2. Confer J. Koh and S. Ho, Cultures and Customs of Singapore and Malaysia (Santa Barbara: Greenwood Press 2009), 3ff.
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ethnic community, till the present day. So one can conclude that Malaysia is a multicultural melting pot with a blend of multiracial and multireligious population, which throughout its history has played host to the intermingling of the main races comprising Malays, Chinese, and Indians and beyond that a host of other mixes between Indigenous ethnic groups from around the Southeast Asian countries.³

Malaysia today has a population of over 27 million. As of the 2010 Population and Housing Census, 61.3 percent of the population practices Islam; 19.8 percent Buddhism; 9.2 percent Christianity; 6.3 percent Hinduism; and 1.3 percent traditional Chinese religions. The remainder is accounted for by other faiths, including Sikhism, Baha’i, Animism and Folk Religion.⁴ On 31 August 1957, the Federation of Malaya gained its independence from the British. In 1963, the Federation became Malaysia with the inclusion of the sovereign states of Singapore, Sarawak and Sabah, with Singapore leaving the Federation in 1965. With the inclusion of Sarawak and Sabah, the cultural fabric of the country had expanded to include the diversity of varied and distinct Indigenous ethnic communities that inhabited those two states.⁵

At its inception as a nation, the country included provisions in its federal constitution that there exist a secular justice system based upon laws legislated by parliament. For those who are Muslims, there shall be also Syariah courts to regulate the religious aspects of the religious lives of Muslims, and the power for this will be vested by the state headed by the various sultans, who are considered the heads of the religion of the Islamic faith in their respective states.

With regard to marriage laws, there are two categories of the marriage procedure, namely the Islamic procedure for Muslims and the civil procedure for non-Muslims. Interfaith marriages, where they do not involve a Muslim party are permitted under the Law Reform (Marriage and Divorce) Act 1976.⁶

³. Ethnic ethnonyms have been created to give new cultural identities of mixed marriages among the different races. Joined together in hyphenated form these terms are currently used in the country: “Chindian” (Chinese-Indian), “Chiban” (Chinese-Iban), “Sinokadazan” (Chinese-Kadazan) are accepted as ethnic markers of mixed parentage.


⁵. As Shymala Nagaraj maintains in her paper, ”it would appear that intermarriage is a function of opportunity as dictated by diversity of the society. Intermarriage rates are higher in ethnically more diverse East Malaysia than in Peninsular . . . Age, gender, education, occupation, place of residence, religion, migrant effects and ethnicity all materially affect the probability of intermarriage.” Nagaraj, Shyamala, “Intermarriage in Malaysia,” Malaysian Journal of Economic Studies 46:1 (2009), 75.

riages under that act may be solemnized in the civil office of a registrar, or in a church or temple or any other place of worship where the religious priest is registered as an assistant registrar of marriages. So those who chose to marry in the church may receive not only a religious blessing but also the official civil marriage certificate recognized by the state as a legal document of the marriage contract. If a non-Muslim religious institution denies a couple the right to marry under preferred religious rites, the couple can opt for a civil registration instead.

The Methodist Church’s Position on Interfaith Marriages

The Methodist Mission began its work in 1885 in Singapore and soon after expanded throughout the country, including Sabah and Sarawak. The British colonial government enlisted the help of Christian missions to open up the country through literacy programmes and economic development of rural communities.

The Methodist Church developed a rich legacy and left its mark in the early social development of the country by establishing a network of schools throughout the country. And through its social services, the church was able to uplift the poor and transform the economic standing of a number of rural communities it was associated with.7 It should be pointed out that through its educational work, the church was not only able to reach all the different ethnic groups in the country but was also able set up vernacular congregations.

In those early years, the Methodist church had a tolerant view of the issue of interfaith marriages. This was understandably so because the church saw such marriage as a missionary enterprise, and it had to be welcoming of new converts coming into its fold. Often, the conversion of one spouse to the faith would gradually lead the other non-converted spouse to the faith in their association with the local congregation. Through continuous exposure to congregational life and the tolerance of its members, the church offered a bridge for non-Christians to appreciate the Christian faith.

It should be also noted that young people were sometimes converted to the faith through exposure to mission schools while their parents remained in their traditional faith.8 In cognizance of the fact that converts are won by welcom-


8. The author of this study, who had served in many rural parishes since the 1970s, also found interfaith couples related to the church fellowship. The pastor was invited to homes to celebrate religious festivals or share a common meal. Many of the young people in mission schools would participate in church activities, although their parents were not Christians. This was the level of tolerance found in many parishes.
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ing unbelievers into the fellowship of the church, the rules governing interfaith marriages reflected a flexibility to allow non-Christians time to find their place in the larger fellowship of the church.

The official order for the solemnization of the Christian marriage in the Methodist Church is found in *The Book of Discipline*, which constitutes doctrinal statements, its constitution, general rules, and social principles on how the church is organized and administered through its conference structures.9 “The minister is enjoined to instruct those requesting his offices for their respective marriage in the Christian significance of the holy estate into which they seek to enter . . . it is therefore not to be entered into unadvisedly but reverently, discreetly and in the fear of God.”10 This rule thus lays down that the Christian marriage is for two people who share the same faith.

In the case of the Methodist Church of Malaysia, a separate document entitled *Rules Governing Marriage and Divorce* was adopted by the highest legislative body of the church, the General Conference, that lays out the process leading to the official recognition of such marriages in the Methodist Church. It serves a guideline to be followed to determine the kind of persons who can marry in the church after pastoral counselling. The preamble of 1983 document of the rules stated:11

> According to the Scriptures, marriage is both by human necessity (Gen 1:27) and divine design (Gen. 2:24). Marriage is a solemn contract between two persons of the opposite sex, to which the church gives its blessings. It is a relationship which provides the opportunity for giving, one to the other. All marriages taking place in our church [are] in accordance with Scripture and follows strictly the provisions of the law of our country.

Under the section “Persons who are eligible to be married in our churches” there were six provisions offered which in summary stated: one must be a Methodist, having an active membership in a local church and other administrative procedures to guide when a Methodist marries another Christian from another denomination, where both parties are Methodists and temporary residents in

10. Ibid., 154, para. 1508.
the country and where the parties may be Christians in another country and request a Methodist pastor to officiate at the marriage.

What is relevant to this study is the paragraph that referred to the possibility of an interfaith marriage, stating:

Where one party is a Methodist and the other is NOT [emphasis mine] a professing Christian, the officiating pastor may determine through counseling whether the marriage will bear up in time. It is hoped that the other party who is not a Christian will be sympathetic to the faith and may eventually become one.

The above provision left it open for ministers of the church to exercise their judgment in officiating at such a marriage, guided by the conviction of their personal conscience that the marriage will be entered into reverently and with mutual responsibility. By furnishing details of the counselling sessions to the episcopal head of the church as required by the rules, the bishop was free to accept the grounds for such a union or request more counselling before the marriage could be solemnized in the church, using the official order of marriage contained in the discipline. This provision offered a space for further exploration between the couple and for the pastor to be part of the journey to help the couple think through important aspects of their relationship. This is also in reference to the spiritual perspective and commitments stemming from their respective faiths.

The place given to “conscience” here is significant. Pastors who felt the prospect of officiating at an interfaith marriage would compromise their theological position could refuse to do so. But pastors who held another theological position and viewed such a marriage as being relevant and necessary to the context could exercise their personal judgment and relate with the couple in a meaningful way.

The interfaith space created by those involved in the process of preparation for an interfaith marriage opened up a dialogical dimension that could help the couple think through issues they would have to face as they start a family. It could also serve as a bridge for the pastor to take a personal interest in nurturing the couple’s relationship, and most especially in how it could relate to the extended family in terms of the faith affiliations they represented. From the perspective of those who seek to enter into such unions, religious identity and affiliation are matters to be creatively worked on, but not imposed.

In 2011, the rules governing marriage were revised and the provision to allow an interfaith marriage to be recognized in the church was taken out. All
the other provisions remained.12 This marked a shift from an earlier norm that opened up space for the possibility of an interfaith marriage to a new position that rejected such a possibility. In the moral discernment process of the church on this matter, it showed that it moved from a progressive position to a dogmatic one.

What Caused the Shift in Position?
Every religious community is continually developing and changing as it seeks to be relevant to emerging issues in the world and in society. How the faith is lived out and the context in which the community finds itself all have a bearing and serve as a reference point that gives shape to what it means to be church and how best to meaningfully relate with people. The church in this task is not required to abandon its spiritual standards. The church is called to reinterpret its normative position so that it can find a path to offer a meaningful witness to the larger community it finds itself in.

In our modern world, traditional or normative boundaries are continually under pressure from those within the faith community and those who seek to negotiate between relevance and faithfulness, and between traditional practices and moral teachings within the framework of the authoritative teachings of the church. In the case of the Methodist church, this shift indicated a movement toward actively opposing interfaith marriages. This was on the grounds that there is no scriptural basis to justify interfaith marriages and to not meet the high standards of the theological covenanted relationship that should lie at the foundation of the relationship between husband and wife.13

A Christian marriage and the nurturing of family life are understood and defined by one’s commitment to Jesus Christ as Saviour. That is the position held by those against interfaith marriages.14 A husband and wife share in this commitment and seek to explore their lives as disciples and pass this down to

14. The motion to keep the previous provisions was put to a vote. The result of the voting was 35 votes for the motion of keeping the old rules and 36 against. This shows how divided the church was on this issue.
their children. Baptism symbolizes the birth of a new life in Christ and the assurance of salvation, which is the only gateway to becoming part of the church.

Those who hold this traditional view read Paul’s statement of keeping the purity of Christian marriage in 2 Corinthians 6:14 – “Do not be mismatched with unbelievers” – as a warning to forbid interfaith marriages, as the non-Christian spouse endangers the fullest commitment of the family to the church. Every conceivable scripture passage has been referenced in both the Old and New Testament to argue the clear distinction between the “covenant people” and those who are outside of it.

Yet, as in every generation and every context, marriages do not always meet the traditional scriptural boundaries that one may want to place on them. A large range of social and religious constellations may bring two people together. Such concrete pastoral experiences confront pastors on a daily basis, as they deal with members of their church who are seriously considering marrying a non-Christian. In the context of a pluralistic country like Malaysia, there are often interfaith boundaries to be crossed. They are just not always crossed the way we expect them to be.

Solemnization of marriage in the church is one route for the interfaith couple, but there is also the option to take the secular route to simply register a marriage in a civil ceremony. A marriage license issued by the state offers civil protection to two citizens who enter into that contract with one another. And it is often the case that the Christian spouse continues to associate with their church and its worshiping community after being legally married outside the church. There is no rule to hinder their return to the church or their participation in some aspects of the congregational life.

In the case of the earlier rule of the Methodist church, it can be argued that it did not lower the standards of a valid Christian marriage based on the teachings of the church. The obligatory pastoral counselling sessions opened up an opportunity for the pastor to identify with the couple in their struggles and journey with them in finding meaningful pathways into a relationship of dialogue and mutual understanding. That can be understood as the “gift” the

15. It is a common practice in some congregations for the spouses who convert to Christianity upon marriage or shortly after that to be called to share their “testimony” of conversion at a formal worship service.

16. See “Minutes of the Debate.” The main theological arguments were founded on the prohibitions against interfaith marriages cited in the Old Testament. Unfaithfulness to the covenant between God and his people was considered sinful. But there are other passages in scripture even in the Old Testament to the crossing of faith borders; Esau married a Hittite woman (Gen. 26:34,36:2), Moses married a Cushite woman (Num. 12:1), Solomon married Pharaoh’s daughter (1 Kings 3:1), Boaz married Ruth a Moabite woman (Ruth 1:4), and Esther was married to King Ahasuerus (Esth. 2:17-18).
church can offer to those between faith boundaries and it helps to build peace and most importantly opens up dialogue for mutual enrichment.

If a church does not recognize a couple’s marriage as valid according to church standards, does that mean that a marriage is devoid of religious meaning and purpose? This is a theological issue that needs further exploration.

With the imposition of the 2011 rules, more and more couples are currently simply opting for a civil registration followed by some form of religious ceremony conducted outside the church. In fact, as the trend shows, that path open to them can be viewed as more engaging for the couple, as they plan and execute the kind of blessing they seek with family and friends gathered to celebrate their union.

In Wayne Meek’s study of the social world at the time of Paul, he points out that Paul’s teachings about living in peace with pagans was never devoid of love and compassion for the “religiously other.” Meeks affirms that Paul saw the church as a witnessing community that included Jews and Gentiles and therefore saw “the ordering of the internal life of the church in complete isolation, but with an eye towards how outsiders will perceive the Christians.” Meeks builds on the argument that “despite the stated preference for marriages only between Christians, Paul encouraged the preservation of existing marriages with pagan spouses whenever possible (1 Cor. 7:12-16). Both the mission and the self-defence of the church are reasons to encourage openness toward the world in these stances.”

We find in Paul’s letters a stress not only on symbols of unity, equality, and love, but also correlative symbols of fluidity, diversity, and incorporation.

The reversal of the rule on interfaith marriages in 2011, by taking out any room for fluidity in relating with interfaith couples, has deprived the church of the chance to be a welcoming and inclusive community. Its task of reaching out to those outside the fold of the church has curtailed its ability to witness effectively in a pluralistic society. The authoritative imposition of views in the name of “doctrinal standards” has hindered the warm embrace and the interfaith hospitality that the church can and should offer to the “religious others” who share with the church a common life in society.

18. Ibid., 102. Meeks argues that Paul took a broadened view in cases of marriages between Christians and unbelievers.
A Ministry of Peace and Reconciliation

Interfaith marriages are recognized by some as a departure from “the ideal”; and in the theological perspective of some, they do not meet the doctrinal standards of what churches recognize as a proper “Christian wedding.” Nevertheless, such marriages exist, and theological reflections should be encouraged on the basis of an ecclesiological dimension of grace operative through the work of the Holy Spirit in the church and outside the church.

An interfaith marriage should be considered a spirit-guided expression of the mysterious work of God, wherein two human beings, a Christian and a person belonging to another faith, share their lives in a most intimate way. With regard to the role of the Christian partner in such a marriage, Paul offers some spiritual advice. He speaks of the grace of holiness extended to both: the unbelieving husband or wife of a Christian believer is “consecrated” through their wife or husband respectively. Moreover, their children, too, have access to the grace of holiness (1 Cor. 17:14-15). It is precisely on this theological basis that Christians can approach interfaith marriages: not as an end in itself, but as a pathway of grace that the church witnesses to within the framework of its ministry of peace and reconciliation in the world (2 Cor. 5:17-20). Peace and reconciliation are as much an inward process as they are an outward.

It is interesting to note that there is no common theological position from the perspective of global Methodism. A sampling with regard to how other Methodist churches in other countries view interfaith marriages is useful here. The United Methodist Church of the United States of America, for instance, incorporates a liturgical order of worship entitled, “A Service for the Recognition of the Blessing of a Civil Marriage.” This worship opens the path for couples to have a church blessing of their civil union should “either or both” members of the couple subsequently claim the Christian faith and choose to have a specifically Christian celebration and blessing of their marriage.

Another example is the case of the Methodist Church of the United Kingdom. The church published guidelines for interfaith marriages that allows their ministers to officiate or take up in a marriage service where one partner is not a professing Christian. This is in acknowledgement of the fact that interfaith marriages are a growing trend in Britain. The guidelines specifically mention and

19. As stated in the Rules Governing Marriage: “1.2 Marriage in the Church is a solemn covenant before God between two people of the opposite sex who know and love the Lord (I Corinthians 7:39) To this the Church gives its blessings.”


emphasize the pastoral care of the couple and view it as an essential aspect of the work of peace and reconciliation, as such marriages “open up opportunities for hospitality, ongoing support for the couple and trust-building between faiths.” Marriage in itself is understood as a pilgrimage of self-discovery and mutual accountability, whether the couple share a common faith or different faiths. The pastoral provisions open up a path for the pastor to share in pilgrimage by journeying with the couple, by being there for and participating in conversations that will determine their decisions and shape their lives.

Two paragraphs of the UK Methodist Guidelines are relevant to this study. The document states the following:

5. Pastoral care of the couple both before and after the marriage service is, therefore, essential. It is particularly important that the couple should be encouraged to talk to each other both about their respective faiths, so that respect for the faith of the other can develop, and also about what becoming an “inter-faith family” involves; for example, the necessity of reaching decisions about the religious education of children or the funeral rites to be followed when a family member dies. Care should be taken by the minister that any advice given does justice to and does not misrepresent the faith to which the partner who is not a Christian adheres.

6. Pastoral care of the couple will be enhanced if local links of friendship can be developed between the two religious communities concerned. This can help the marriages to be accepted in both communities and open up opportunities for hospitality, on-going support for the couple and trust-building between faiths.22

The above could be considered an exercise of holiness in Methodism, although not stated in the document as such.

Methodists can also draw from the rich theological heritage of John Wesley for insight as to how the pastoral outreach to the “other” can, in fact, exercise holiness, as it reflects neighbourly love as intended in the greatest commandment Jesus Christ imparted to his disciples (Mark 12:28-31). The central themes of Wesleyan theology – which include prevenient grace, the emphasis on heart religiosity, and the goal of holiness and Christian perfection – offer us numerous theological entry points into exploring how we can move beyond traditional views and explore new avenues of reflection posed by interfaith marriages.

22. Ibid.
For the purpose of this paper, Wesley’s emphasis on prevenient grace holds great promise. What is it about prevenient grace that might predispose Methodists to respond to non-Christians in a much less “us” verses “them” way. Particularly pertinent for our purposes are the following. First, prevenient grace is universally accessible to all human beings and is what enables all human goodness, even after the fall. Second, prevenient grace also empowers human moral responsibility, in part by activating the law of conscience inscribed within human hearts. And third, while there are ordinary means through which prevenient grace is nurtured, there are also extraordinary means through which the Holy Spirit makes possible human response to God’s initiatives, as emphasized by Wesley Ariarajah and shaped by his work in the World Council of Churches Interfaith Commission many years ago.

Of course, the doctrine of prevenient grace neither affirms nor asserts that other religions are salvific. Other religions do not nurture the hope for Christian salvation, so there is no reason to say that they lead to the beatific vision of the triune God or to Christian holiness. Yet, might it still be possible that aspects of other faiths could be expressions of prevenient grace? This is a theological question that requires we take a careful look at “the other” before proferring a response, however tentative. We are invited to approach people of other faiths less as representatives of religious labels than as people made in the image of God and existing within the realm of prevenient grace. As a matter of fact, other theological entry points exist besides that which has been emphasized here as a life of celebrating and sharing grace.

23. By Wesley teaching on prevenient grace, Methodists have described all the ways in which God works with human beings before they believe in Christ (here prevenient refers to grace coming before faith in Christ). Prevenient grace leads to repentance, sorrow over sin and the realization that we are unable to save ourselves. See Ted. A. Campbell, Methodist Doctrine: The Essentials (Nashville: Abingdon Press, 1999).

24. There is no space here to provide a full exposition, which is treated more comprehensively in J. Gregory Crafford, Streams of Mercy, Prevenient Grace in the Theology of John and Charles Wesley (Lexington: Enoth Press, 2010), 80ff.

25. Wesley Ariarajah, a Methodist theologian from Asia, has passionately written about Christianity in Asia and how one should relate to people of other faiths. He maintains “the whole of the Bible relates to only one mission – the mission of God. All other missions have to find their place within it. The Christian witness to Christ, the Christian Service to humanity and Christian acts of worship are all only a part of – and participation in – the overall mission of God, which knows no boundaries . . . The conviction that we as Christians are only part of a larger mission of God will enable us to join hands and work with people of other faiths in a more conscious way.” See Wesley Ariarajah, The Bible and People of Other Faiths (Geneva: WCC Publications, 1985), 70–71. Also, Wesley Ariarajah, Not without My Neighbour: Issues in Interfaith Relations (Geneva: WCC Publication, 1999). He argues in this book about our spirituality that takes in account the “spiritualities” of our neighbours. The
John Wesley’s exploration of heartfelt Christianity, grounded in his own spirituality, seeks to fulfil the great commandment of love of God and neighbour as an ongoing pilgrimage toward Christian perfection. Interactions with neighbours have to be guided by love, and this involves Christians not just having good feelings for their neighbour’s needs through works of mercy. The question to be theologically thought through must focus on what happens in living out this heart religiosity in a pluralistic context and on the place of interfaith hospitality in relation to that context.

If, for some evangelical traditions, the end of the encounter with other is the conversion of the other and the attainment of their confession of faith, for Methodists the perspective should be widened, as faith should not be defined propositionally but also practically. Faith is not a set of doctrines alone, but also includes the means to or expression of love to all of God’s children. Further, faith is not just about what the neighbour believes but also about the depth of the relationship of love that Christians have with their neighbours.

Marriage is a path to Christian perfection: God comes to each partner and each returns to God through the other, so that each becomes a means of grace to the other in every detail of daily life. Each receives the other from Christ “as a grace,” and each becomes “a grace to the other” through the conjugal love they share and live out.

Conclusion

This study has shown that in a pluralistic society, interfaith marriages are a sociological reality that cannot be avoided. Malaysian Christians have constant and real reminders that they are around someone of a different faith. In their daily lives they are comfortable with the possibilities of exposure and inclusion such interactions entail. It can be said that elements of interfaith dialogue already exist in the lived experience of living together, celebrating each other’s festivals, and sharing experiences based on an openness to be enriched by the other.

Second, this study has also shown that many people are growing up with a secularized worldview and are no longer comfortable being hemmed in within the strict confines of their religious communities, as some of their religious positions may not fit modern life. Living in a diverse society, such couples claim this interfaith space, even in marriage, to exercise their freedom and to create new norms of co-existence, and they reject any form of religious bigotry in their perspectives in life.

The task of theology is to find “common ground” in humanity’s search for ultimate meaning and the restoration of the whole of creation.
Third, it should be noted that the church in reality is more than a religious institution. It is a community among communities. Cardinal Arinze, the former head of the Pontifical Council for Inter-religious Dialogue, popularized the concept of the “Dialogue of Life” as a sociological reality within the reach of anyone at the level of ordinary situations of life, as people relate with each other for the common good of all humanity. Dialogue of life has become an important hermeneutical key in dealing with interfaith dialogues and creating stronger bonds with others.

The Methodist Church in its earlier stance on interfaith marriages took a position that offered a bridge to those couples who did not fit the norm. As Wesley Ariarajah has emphasized, it is not that the Bible is against interfaith relations; Christianity itself has been in constant dialogue with other cultures and religions and has found innovative ways to put neighbourly love for the “other” as key element in the life of grace.

The Methodist Church’s reversal of its position on interfaith marriages has caused considerable damage to its witness as a reconciling instrument in an interfaith context. Its closed position makes it less relevant to a sociological reality that is rapidly changing. Whether the church accepts it or not, people will fall in love and marry beyond religious boundaries – not because they reject their own faith, but because they believe love, in essence, holds the key to mutual enrichment and that spirituality can be nurtured in new ways.

In the final analysis, the quest for moral discernment in the church is not just about passing moral judgment at the level of human relationships. It is more about reflecting on those factors that shape the decisions arrived at and how such decisions contribute to or hinder meaningful relationships in community. This study has shown that the church’s resistance to modernizing forces in society and its impact on lives of people is causing it to ignore the future trends of a growing population of Christians. These people are willing not only to accommodate religious differences but to embrace them and thereby reclaim interfaith space in a modern and secularized world. The reality of interfaith marriages today is a microcosm for the modern and secular world in which Christianity exists. It embodies, by definition, theories of multiple belonging and religious hybridity that are becoming increasingly important in ecumenical discourse in various contexts throughout the world.

26. At the time of the writing of this paper, some Methodist Church leaders indicated to me that in view of the rising opposition to the restriction of interfaith marriages in the Methodist Church a study group has been formed to find a proper theological language and to seek to reinstate the old rule as a blessing service or thanksgiving service.
SUICIDE
During the past century, the Roman Catholic Church’s handling of suicides changed in an almost paradigmatic way. For centuries the Catholic Church refused a church funeral and burial in consecrated ground to those who had committed suicide. Now the church shows a deeper understanding for people who have killed themselves, because of the mental depression they were in as well as the adversity and oppressive circumstances that led to their action. The fact that a church funeral is not only possible but is now often regarded as a legitimate pastoral response reveals that the church’s pastoral mission to bury the dead and to comfort the bereaved encompasses as well care for those who committed suicide.

This development, however, raises a number of questions that relate to both the church’s teaching and the law of the church, the canon law: What is the basis for this change of mind and what is its scope? Has the church’s teaching on or the condemnation of suicide been altered so that it is considered ethically justifiable in certain situations, or are funerals for suicides merely an expression of a milder application of canon law? Is a church funeral always legitimate or does it require a case-by-case examination and decision? Does the change originate from a requirement of a canonical norm issued for the whole church or from reciprocal processes of reception between the local churches, that is, the dioceses, and the Catholic Church as a whole?

These questions are taken as an opportunity to historically trace the church’s teaching on suicide and the canonically based pastoral and liturgical treatment of suicides. The analysis aims at clarifying why the church, in exercising its pastoral care, has abandoned a 2000-year-old practice and has almost reverted to its opposite.
Funeral Practice in the Early Church

Already in Judaism, burying the dead and comforting the mourning were considered works of mercy. In the early days of the church, the burial of deceased relatives was not only taken for granted, but understood as a special service of love rendered by the church community.¹ In addition to this ecclesial character, church funerals also had a theological dimension, since in this liturgical form human death was interpreted in the light of the divine act of salvation made visible in Christ.² Funerals were no longer regarded as profane acts but as ritual expressions of living faith in the light of the Christian resurrection. Because of the participation of the baptized deceased in Christ’s death and resurrection, these expressions centered around the praise and thanksgiving expressed by the bereaved and the entire church community toward God.³ The celebration of the funeral liturgy was, therefore, an obligatory ecclesial act for the community, which felt itself connected in solidarity with the deceased,⁴ with whom the community shared a common destiny even beyond death.

Despite this voluntary obligation, however, the church community was already aware of situations where it was unclear whether a church funeral could be held for the salvation of the soul. From a theological and ecclesiological perspective, a church funeral was considered ineffective if the deceased person’s baptism was invalid or if his communion with the church was significantly impaired before his death due to serious sin. Following this theological argumentation, no church funeral could be held for unbaptized persons.⁵ Since this ecclesial service of love was also based on the church’s intercession, the possibility of holding a church funeral for a baptized person depended on his full, that is, unrestricted communion with the church community at the time of death.⁶

⁵. This was the position taken by Augustine, for example, who considered the unbroken participation in the ecclesial Communion as being, alongside the valid baptism, another condition of the efficacy of the means of salvation in the funeral. See Wilhelm Thümmel, Die Versagung der kirchlichen Bestattungsfeier (Leipzig: Hartmann and Wolf, 1902), 29.
⁶. See Peter Lex, Das kirchliche Begräbnisrecht – historisch-kanonistisch dargestellt (Munich: Manz, 1904), 217.
Those who had withdrawn from this communion with the church through deliberate misconduct were not only deemed unworthy of the celebration of the church’s funeral liturgy, but also had lost their Christian right to the service of love rendered by the church community out of solidarity. Only by undergoing a process of public reconciliation before death encompassing publicly expressed repentance for one’s profoundly sinful acts, the complete fulfilling of suitable penance, and the reception of absolution could the liturgical-theological possibility of holding a church funeral for the deceased faithful be considered. Because of this process, the believer restored unrestricted communion with the ecclesial communio.

Around 458–459, Pope Leo I (c. 400–461) was confronted with the question of whether a church funeral could be held for persons who had committed grave sin if they had not completed the procedure for reconciliation. In the following words he justified his rejection of funeral rites for those who, despite their repentant behaviour and the beginning of penance, had not yet completed the reconciliation process: “We have no communion in death with those with whom we did not have it during their lives.” This principle characterized the practice of church funerals in the following centuries.

7. See Ludwig Ruland, Geschichte der kirchlichen Leichenfeier (Regensburg: Manz, 1903), 106.

8. See Charles A. Kerin, The Privation of Christian Burial. An Historical Synopsis and Commentary, Canon Law Studies 136 (Washington, DC, 1941; reprint Cleveland: John T. Zubal, 1985), 7. The strict practice regarding the denial of funerals for heretics and schismatics can be seen particularly in the fact that ecclesial communion was later revoked (excommunicatio post mortem) and all liturgical honours ceased to exist for those who died in peace with the church, if their teachings turned out to be heretical. See Thümmel, Versagung, 39.

9. See ”Nos autem, quibus viventibus non communicavimus, mortuis communicare non possumus.” [Ioannes D. Mansi, Sacrorum conciliorum nova et amplissima collection, vol. 6: Ab anno CCCCL to annum CCCCLI (Florenz, 1761; reprint Paris/Leipzig: Welther, 1901), 391, ep. 167.] The principle of Pope Leo I prevailed as the theological and ecclesiological basis of subsequent ecclesiastical decisions regarding the granting of funerals. For the history of the effects of this papal decision, see Thümmel, Versagung, 43–49.

10. The reception of baptism is still today a conditio sine qua non for the celebration of an ecclesiastical funeral with its full liturgical ritual. The assessment of a possibly impaired communion with the Catholic Church due to a sinful transgression and its consequence for the celebration of an ecclesiastical funeral has changed considerably following more profound insights about the theology and ecclesiology of the ecclesiastical funeral, especially in the 20th century. The demand of the council fathers at the Second Vatican Council for a stronger Easter orientation in the structure of the liturgy illustrates that the ecclesiastical funeral liturgy was henceforth no longer attributed the character of removing the eternal punishments of sins, as in the high middle ages. The liturgical law that is currently in force suggests instead that the ecclesiastical funeral expresses, above all, the grateful and intercessory solidarity of the assembled community with the deceased and the survivors. In the hermeneutics
The Condemnation of Suicide and the Canonical Consequence of the Refusal of Church Funerals

This theological justification for refusing church funerals was employed in the church’s reaction to suicide – at least in those places where it was condemned. Due to the lack of explicit normative statements in the Bible, there was some ambiguity concerning this issue. While some church Fathers did not reject outright suicide committed with the intention of protecting oneself from greater harm during Christian persecutions, and advocated a nuanced evaluation of concrete cases, others condemned it as a profoundly sinful act. Lactantius (c. 250–325) was one of the first to derive a prohibition of suicide from the biblical proscription of killing. His reasoning was complemented by Augustine, who condemned suicide as an act against God and the church. The moral


theological ambiguity in this period was reflected in the ambivalent practice of granting or refusing an ecclesiastical funeral to suicides, which was based on regional customs. It was only after the broad reception of Augustine’s argumentation condemning suicide, which was accorded a high degree of authority, that a gradual standardization of the funeral practice for suicides took place, which had until then varied greatly from region to region. Since it was assumed that the suicide expressed his free will through his action, he was also presumed to have had the intention of wanting to separate himself from God and ecclesial communion, thereby depriving himself of the church’s means of salvation.\textsuperscript{16}

The ecclesial \textit{communio} responded externally to this inner attitude of the suicide victim by refusing him a Christian funeral as a “sign of abhorrence of such an act.”\textsuperscript{17}

During the following century, various particular councils and synods officially decreed funeral refusals as a canonically binding consequence of suicide.\textsuperscript{18}

While most of the provisions do not differentiate between the motives for this act, so that the “reason and motive for a suicide seemed irrelevant,”\textsuperscript{19} the norms

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\textsuperscript{16} See Lex, \textit{Begräbnisrecht}, 310.

\textsuperscript{17} Ignaz Familler, Pastoral-Psychiatrie. \textit{Ein Handbuch für die Seelsorge der Geisteskranken}, ThBib 2 (Freiburg/B.: Herder, 1898), 142. Ultimately, what the canonist Libero Gerosa describes for the practice of excommunication applies also to the denial of a funeral. Neither ecclesial action is “a punishment inflicted by the will of the ecclesiastical authorities, but rather the confirmation of an existing situation: that of non-communion, in which the subject has placed himself through his anti-Church attitude . . . it is not the ecclesiastical authority that creates the situation of break in communio through its intervention; it merely recognises it and eventually declares it so that it becomes known to the person concerned and to the whole Church.” Libero Gerosa, “Penal Law and Ecclesiastical Reality: The Applicability of the Penal Sanctions Laid Down in the New Code,” \textit{Concilium} (E) 185:3 (June 1986), 54–63; at 57.

\textsuperscript{18} See the provisions of the Council of Vaison [Jean Hardouin, ed., \textit{Acta Conciliorum Et Epistolorum Decretales Ac Constitutiones Sumnorum Pontificum. Tomus Primus: Ab anno Christi XXXIV. ad annum CCCCL}, (Paris: Ex Typographia Regia, 1715, 1787), the 3rd Council of Arles (443/452) [Hardouin, \textit{Acta Conciliorum}, II, 774], the 2nd Council of Orléans (533) [ibid., 1175] and the Council of Auxerre (578) [Hardouin, \textit{Acta Conciliorum}, III, 446.

of the Synod of Braga (561) reveal church legislation that was rather indifferent. Although it upheld the prohibition of the eucharistic celebration and a solemn funeral with psalmody for suicides, a benevolent interpretation of its decrees would suggest that a simple or silent funeral would have been quite possible, albeit without ecclesiastical honors or pompous liturgical trimmings.\textsuperscript{20}

Today, it is impossible to state with certainty whether the canonical provisions of the time can be cited to argue that in the early Middle Ages, the church authorities assumed that suicide was always a conscious and voluntary act. On the one hand, in view of the canonical developments at the time, a uniform and absolute practice of refusing funerals after suicide can be assumed. On the other hand, however, the continuous promulgation of norms refusing funerals can also be seen as an indication that regional differences in the treatment of suicides persisted. The question posed to Bishop Timothy of Alexandria around 385 of whether a church funeral could be performed for a believer who had taken his life in a state of mental agitation, suggests that this may be due to individual doubts about capacity of the suicide for self-determination and freely willed responsibility. Timothy pointed out the fundamental difficulty of making clear statements about the free will of the deceased, and ordered a careful examination of the facts, possible motives, and concrete circumstances surrounding suicides. In well-founded cases of insanity, he considered the holding of an ecclesiastical funeral not only possible, but even canonically legitimate.\textsuperscript{21}

Already a few centuries later, the penitential handbooks (\textit{libri paenitentialis}) of the Early Middle Ages, which aided priests in assigning penances appropriate to sinful acts in a casuistic manner so that they acted as multipliers at the interfaces between theology and pastoral care, between norm and reality,\textsuperscript{22} reveal extensive reflections on the mental condition of suicides, with varying consequences.\textsuperscript{23} Although they basically received the provisions of the Synod of Braga refusing funerals to suicides on the basis of continuous ecclesiastical condemnation, exceptions were implemented in cases of psychological incapacity.

\textsuperscript{20}See Hardouin, \textit{Acta Conciliorum}, III, 351. The provisions of the Synod of Braga were so groundbreaking that they were repeated almost verbatim by subsequent councils and synods.

\textsuperscript{21}See Hardouin, \textit{Acta Conciliorum}, I, 1195.

\textsuperscript{22}See Zeddies, “Verwirrte,” 84.

For example, the important penitential book of Theodor of Canterbury (602–690) viewed church funerals including the eucharistic celebration for a deceased baptized Christian who had died through suicide as necessary, if the suicide had either been deranged by the devil (homo vexatus est a diabulo) or took his own life due to sudden madness (subita temptatione mente) or insanity (ex insania).24 According to the understanding of the time, there were conditions in which people did not act freely, so that the objectively grave sin of suicide was not subjectively imputed. A church funeral could then be celebrated for suicides, even though the act itself was still condemned as a grave sin. In contrast to this, “merely” strong emotions such as despair (desperatio) or fear (timore) were not viewed as impairments of freely willed actions, but as the loss of hope in God’s grace. This was interpreted as apostasy and led to the refusal of a church funeral.25

The Development of a Presumption Concerning the Psychological State of Suicides

During the first centuries, there is no evidence of a presumption by church authorities on the psychological condition of suicides in the sense of a presumed voluntary act for which one bears full responsibility. However, in the Early Middle Ages deaths without clearly identifiable causes (accidents or suicide) were assumed to be the result of such an act if even the slightest signs of suicide were discovered. As long as the imputability of suicide could not be clearly ruled out, church funerals were refused as a consequence. This meant that an indirect presumption was practiced by the church.

24. “X. De vexatis a diabulo. 1. Si homo vexatus est a diabulo et nescit aliquid nisi ubique discurrere et occidit semetipsum, quacunque causa potest, ut oretur pro eo, si ante religiosus erat. 2. Si pro disperatione aut pro timore aliquo aut pro causis incognitis se occiderit, Deo relinquimus hoc judicium et non ausi sumus orare pro eo. 3. Qui se occiderit propria voluntate, missas pro eo facere non licet, sed tantum orare et elmosinas largire. 4. Si quis Christianus subitanea temptacione mente sua exciderit vel per insaniam se ipsum occide-rit, quidam pro eo missas faciunt.” Hermann J. Schmitz, *Die Bussbücher und die Bussdisciplin der Kirche. Nach handschriftlichen Quellen dargestellt* (Mainz: Kirchheim, 1883), 544.

25. See Konrad Schüttauf, “Suizid im Recht,” in *Suizid und Sterbehilfe*, Schriften des Instituts für angewandte Ethik e.V. 4, ed. Gerd Brudermüller and Wolfgang Marx et al. (Würzburg: Königshausen und Neumann, 2003), 81–100, at 85. Other penitential books in which the distinctions made by the *Paenitentiale Theodori* have been received with varying degrees of nuance include the *Paenitentiale Bigotianum*, the *Paenitentiale Magdeburgense A*, the *Reformbussbuch Halitgars* (9th century), the *Paenitentiale Pseudo-Gregorii III* (9th century), the *Paenitentiale Pseudo-Egberti* (10th century), and the *Paenitentiale Valicellianum II*. 
During the High and Late Middle Ages this practice of presumption intensified. This development can be explained by the absolute ecclesiastical condemnation of suicide in the High Middle Ages, which stemmed from canonical and theological developments. Canon law, which consists of various universal and particular norms, underwent a fundamental systematization. In his collection of canons, the *Decretum Gratiani* (c. 1140), Gratian (c. 1100–1160) received the previous magisterial statements condemning suicide as well as the relevant provisions of particular councils and synods concerning the refusal of funerals after suicide. 26 It was the further development of theology, however, that had a greater impact on the hardening of the church’s position. A little less than a century after the publication of the *Decretum Gratiani*, Thomas Aquinas (1225–1274) concluded the church’s condemnation of suicide by applying his systematic theological method. In his *Summa theologica* (c. 1265–1273) Thomas confirmed and concretized the Augustinian approach 27 by adding to it a line of argumentation borrowed from natural law, encompassing both Platonic (individual ethical) and Aristotelian (social ethical) ideas. 28

This theological and legal systematization hardened the church’s practice of denying funerals in the following centuries. Moreover, increasing knowledge about possible influences on human freedom of choice and action from various physical, psychological and social factors was not taken into account due to a lack of engagement. 29 In this way, the presumption that persons who committed suicide did so as a freely willed and conscious act was consolidated in the interpretation and application of canon law. As a consequence, the burden of proving that a suicide was not a freely willed and conscious act fell upon the bereaved. If they were not able to prove beyond doubt by a thorough examination of the circumstances that the suicide’s capacity for freely exercising responsibility had been impaired, a church funeral was refused. The church’s funeral

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practice therefore reveals a fundamental tightening of both church legislation and its application in the High and Late Middle Ages.\textsuperscript{30}

The Roman Ritual (1614), published after the Council of Trent (1545–63), adopted the injunctions refusing funerals after suicide, especially if it was committed out of desperation (\textit{desperationem}) or irascibility (\textit{iracundiam}). At the same time, however, it suspended the canonical consequence refusing a church funeral if the suicide had been overcome by insanity (\textit{ex insania}).\textsuperscript{31} Although the Ritual did not have the character of a universal law, but only as a particular law, the importance of its inclusion of this nuanced “madness clause” exceeds that of the 8th-century \textit{Paenitentiale Theodori} since the latter was not canonically binding. This development can be seen as a cautious step away from a presumption of a voluntary and liable act, or as one that attached importance to doubts about the actual psychological state of the suicide victim.

Even though the commentaries of the contemporary canonists maintained the presumption of voluntary responsibility, traces of a differentiated view can also be discerned.\textsuperscript{32} The canonists were of the opinion that it was necessary to counteract the latent legal uncertainty in dealing with suicides.\textsuperscript{33} It is unclear today who had the task of evaluating and judging the psychological condition of a suicide victim and declaring that a suicide was committed \textit{ex insania}. It is also not known if medical experts were involved in the processes of decision making and what criteria were used as a basis for them. It is a fact, however,

\begin{itemize}
\item \textsuperscript{30} In the meantime, those who had committed suicide and been buried illegitimately on consecrated ground were required to be exhumed and transferred to profane ground. See Wilhelm Durantis, \textit{Speculum iudiciale}, Tomus 2: Pars III et IV (Basel, 1574; reprint Aalen: Scientia, 1975), 402.
\item \textsuperscript{31} “Seipso occidentibus ob desperationem, vel iracundiam (non tamen si ex insania id accidat), nisi ante mortem dederint signa poenitentiae.” See \textit{Rituale Romanum Pauli V. Pontifex Maximus Iussu Editum: Addita formula pro benedicendis Populo et Agris à S. Rituum Congregatioe approbata}, Antverpiae (1614): Ex Officina Plantiniana Balthasaris Moretti 1652, 163–64. The fact that the focus was no longer on fear (\textit{timore}) but on anger (\textit{iracundia}), would have meant that according to the principle of narrow legal interpretation in the case of restrictive norms (\textit{Regula iuris} 15) that suicide due to fear was no longer a reason to deny an ecclesiastical funeral. However, we are not in a position to offer a definitive evaluation of this on the basis of current knowledge.
\item \textsuperscript{32} The knowledge of the possibility that freedom might be limited led in 14th-century England, for example, to rudimentary formal legal investigations to clarify the cause of death. See Minois, \textit{Geschichte}, 65; Schüttauf, “Suizid,” 85.
\end{itemize}
that the canonists did not expect a mere revision of the laws to remedy the existing problems of determining the subjective imputability of suicides. Thus, they focused on the interpretation of the “madness clause.”\(^{34}\) With the help of medical knowledge, certain characteristics were to be determined which would enable one to judge unequivocally the psychological condition of suicides and identify any influences on it before the act. However, the canonists encountered two problems in this endeavour. Firstly, the field of psychology was not yet advanced. Secondly, the canonical practice of the modern era was by no means as uniform and consistent as one might think given the continuity of the Roman Ritual. Instead, cases of canonical uncertainty were transferred from the parish level to the diocesan level on the basis of the Ritual’s provision that, in cases of doubt, the bishop should decide on which action should be taken.\(^{35}\)

### The Struggle for Acknowledging the Relevance of the Human Sciences

In the following centuries the Catholic Church passed on the interpretative model of the late Middle Ages, with its presumption of suicide as a freely willed act. Acting in defense against the emerging Enlightenment ideas of humanity and the philosophical theories of free will, it even intensified its condemnation of suicide.\(^{36}\) It rejected the argumentation based particularly on the conclusion of the human sciences that a suicide’s capacity for bearing responsibility is always impaired extrinsically and intrinsically in situations of emotional conflict.\(^{37}\) In its declaration of 16 May 1866, the Holy Office, in continuity with the particular councils and synods of the 19th century, confirmed the

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34. See Kerin, *Christian Burial*, 59. The canonists also reinforced their reflections about the importance of applying law and decision taking in individual cases, while respecting traditional legal principles, situational circumstances and constantly changing contextual conditions.

35. See “Ubi vero in praedictis casibus dubium occurrerit, Ordinarius consultatur,” *Rituale Romanum*, 163–64.

36. The Councils of the 19th century intensified their engagement in the “fight” against suicide and tried to counteract the increase in suicide by strengthening the church’s norms for the refusal of funerals more resolutely. This is documented by the diocesan synod of Reims (1849), the Particular Council of Avion (1849), the Particular Council of Claramont (1850), the Particular Council of Senones (1850), the Particular Council of Strigon (1858), the Particular Council of Utrecht (1865), and the Second Council of Baltimore (1866). See *Lex, Begräbnisrecht*, 324.

practice of refusing funerals to suicides as well as the implicit presumption of their subjective culpability, and indicated that an ecclesiastical funeral could be performed only in cases of proven impairment of the suicide’s freedom or sustained doubt.38

However, contemporary canonists took note of how the continuously growing body of evidence gathered by the human sciences on the impairment of the human psyche by extrinsic and intrinsic factors raised serious questions about the church’s presumption of suicide as a freely willed act, and thus about the refusal of church funerals after suicide. An increasing number of voices in the church invoked the legal principle in dubio pro reo, especially with regard to situations of emotional conflict. Instead of adhering to an almost apodictic presumption, they argued for a case-by-case examination of the suicide’s capacity for freely willing his action that would also incorporate other criteria than the usual.39

Thus, in their argumentation in the case of Giovanni Turriani (Diocese of Marsi, Italy) of 1835, even the Sacred Congregation for Bishops and Religious demanded that the expertise of physicians be obtained in order to assess the extent of freely willed responsibility.40 Turriani had killed himself because a woman had accused him of having done violence to her, his own wife was unbearably jealous and his father had accused him of squandering his fortune.41 After the parish priest denied a church funeral and the diocesan bishop confirmed this decision, Turriani’s family appealed to the Congregation. While officially condemning suicide and confirming the refusal of funerals for suicides who kill themselves out of despair or wrath (the revised Roman Ritual of 1752 still contained this canonically binding injunction), after careful examination the Congregation ordered on 7 August 1835, that a quiet, liturgically simpler

funeral be held. Based on the assessment of three independent doctors, who attested to the suicide an act *ex insania*, the Congregation argued that Turriani’s capacity for free choice and responsibility had been impaired due to the circumstances. Subsequent to this decision, the Congregation referred to the admonition of contemporary canonists to declare that in cases of serious or permanent doubt about imputability, suicides are as a rule committed *ex insania*. This approach was taken with a view to the person’s salvation.

The interpretation of the emotional pressure on a suicide not as a loss of hope or apostasy, but as an act *ex insania*, led to a broadening of this concept. In addition to the absolute impossibility of imputing responsibility due to insanity or mental illness, the possibility of a situative, that is, relative restriction of imputability was suggested. In this way, recourse to the human sciences in assessing the motive and imputability of a suicide at the time of the act opened up the possibility for the Congregation to give priority to those principles of canon law (*in dubio pro reo*) favoring the victim in cases of doubt. The Congregation reinforced this paradigm shift toward a case-by-case approach by calling on all pastors to incorporate the findings of the human sciences into their decisions by consulting with medical authorities. This is particularly important for the evolution of the church’s handling of suicides, because the Congregation issued guidelines addressed to the pastors of all local churches, after a specific question raised by a particular local church was discussed and reflected on at the level of the universal church. Although the Congregation’s decision only referred to the Turriani case, its statements determined in a universal perspective who should assess whether a suicide was committed *ex insania*. It is the duty of the local pastors after due consultation with doctors, that is, taking into account the latest knowledge in the human sciences.

Until the beginning of the 20th century there was no binding provision at the universal level regarding church funerals, so that non-uniform canonical practices, especially in dealing with suicides, continued. It was only with the promulgation of the first Code of Canon Law in 1917, which was binding the whole Latin Rite of the Roman Catholic Church, that ecclesial law was unified. However, it did not aim for a comprehensive reworking of the canonical

42. See Congregatio Episcoporum et Regularium, “Decreta et resolutiones selectae,” 58.
43. Ibid., 56.
44. The canonists being referred to were Anaklet Reiffenstuel (1641–1703), Ehrenreich Pirhing (1606–1678/1681), Franz Schmalzgrueber (1663–1753) und Jakob Anton zu Thurm von Zallinger (1735–1813). Ibid., 57.
45. Ibid., 58.
material. As a consequence it largely adopted the canonical views on funeral practice – especially as it applied to suicides – that were reflected in the Roman Ritual. In continuity with the funeral law prior to the appearance of the *Codex Iuris Canonici* (CIC) of 1917, funerals were still to be refused to those who took their lives of their own free will (*deliberate consilio*) and had shown no sign of repentance before death.

Two things are noticeable in this formulation. On the one hand, the ecclesiastical legislator took into account the historically evolved moral theological idea that the use of reason by suicides may very well be restricted, and incorporated it into canon law. On the other hand, the open-ended formulation *deliberate consilio* no longer distinguishes between individual suicide’s motives and causes, but emphasizes in a general way the underlying notion of a voluntary act combined with freedom of choice. In view of the legal interpretation this formal reform also allowed for the adoption of knowledge from the human sciences about the (albeit temporary) impairment of a person’s freedom of action and decision in situations of emotional conflict such as desperation or rage.

Concerning the presumption of a suicide’s capacity for free choice and responsibility, a certain legal tightening by church legislators can be observed, despite the terminological broadening just mentioned. Since suicide was also included in ecclesiastical penal law as a criminal offense with the legal consequence of a funeral refusal (c. 2350 § 2 CIC/1917–1659), the presump-

46. See Ulrich Stutz, *Der Geist des Codex iuris canonici. Eine Einführung in das auf Geheiss Papst Pius X. verfasste und von Papst Benedikt XV. erlassene Gesetzbuch der katholischen Kirche* (Stuttgart: Enke, 1918), 57. [In English, see Edward N. Peters, ed., *The 1917 Or Pio-Benedictine Code of Canon Law: In English Translation with Extensive Scholarly Apparatus* (San Francisco: Ignatius Press, 2001).] For the first time, the CIC (1917) set as a norm the right to receive spiritual benefits according to the rules of ecclesiastical discipline (ca. 682 CIC (1917)). This was reflected in the right of the deceased believer to be given an ecclesiastical funeral, unless being explicitly deprived of it by law (1239 § 3 CIC (1917)). According to this measure, the denial of a funeral was no longer simply the withholding of an ecclesiastical service of love but a measure restricting an existing right of the faithful. See Eduard Eichmann, *Lehrbuch des Kirchenrechts auf Grund des Codex Iuris Canonici*, vol. 2: Sachenrecht, Prozessrecht, Strafrecht, 3rd ed., Wissenschaftliche Handbibliothek (Paderborn: Schöningh, 1930), 181; Eduard Eichmann and Klaus Mörsdorf, *Lehrbuch des Kirchenrechts auf Grund des Codex Iuris Canonici*, vol. 2: Sachenrecht, 11th ed. (Paderborn: Schöningh, 1967), 341.

47. C. 1240 § 1, 3º CIC (1917): “Ecclesiastica sepultura privantur, nisi ante mortem aliqua dederint poenitentiae signa: 3º Qui se ipsi occiderint deliberato consilio.” [“Unless they gave before death a sign of repentance, the following are deprived of ecclesiastical burial . . . Those who killed themselves by deliberate counsel.”]


49. C. 2350 § 2 CIC (1917): “Qui in seipsos manus intulerint, si quidem mors secuta sit, sepultura ecclesiastica priventur ad normam can. 1240, §1, n. 3.” [“Those who [attempt to]
tion of imputability enshrined in penal law also applied to a person during his commission of an offense, until proven otherwise (c. 2200 § 2 CIC/191750). The presumption of full responsibility for suicide, which had never been formally codified before the CIC of 1917, was now canonically binding for the entire Latin Rite church.51 This happened at a time when many contemporary canonical commentaries considered a restriction on free will and responsibility highly likely in cases of suicide—something which is attested to by the emphasis placed on the examination of individual cases and by the concisely expressed demand that pastors take into account the concrete circumstances of a suicide.52

kill themselves by their own hand, if indeed death follows, are deprived of ecclesiastical burial according to the norm of Canon 1240, §1, n. 3.”

50. C. 2200 § 2 CIC (1917): “Posita externa legis violatione, dolus in foro externo praesumitur, donec contrarium probetur.” [“Given the external violation of a law, the evil will is presumed in the external forum until the contrary is proved.”] Because the legislator differentiated between the deliberate intent (dolus) and culpable negligence (culpa) of an action (c. 2999 CIC (1917)) with regard to the imputability of the infringement of the law, an objective offence could only be subjectively determined if it had been caused by a moral misconduct. Situations and actions that qualitatively affect the presence of dolus or culpa must therefore also have consequences for imputability. See Heribert Jone, Gesetzbuch des kanonischen Rechts. Erklärung der Kanones, vol. 3: Prozess- und Strafrecht, 2nd ed. (Paderborn: Schöningh, 1953), c. 2199. According to canon law, subjective attributability in committing an offence was fully excluded in the cases of those who do not enjoy the use of reason (c. 2201 § 1 CIC (1917)), habitual insanity (c. 2201 § 2 CIC (1917)), the deprival of the use of reason in the case of involuntary drunkenness (c. 2201 § 3 CIC (1917)), non-culpable ignorance of violating the law (c. 2202 § 1 CIC (1917)), the influence of physical violence (c. 2205 § 1 CIC (1917)), grave fear, even relatively such, in undertaking acts that are inherently of lesser importance (c. 2205 § 2 CIC (1917)), admissible legitimate self-defense (c. 2205 § 4 CIC (1917)) and passion that excludes consent of the will (c. 2206 CIC (1917)). Reduced subjective attributability is present in the cases of involuntary drunkenness leading to the partial impairment of the use of reason, as well as voluntary but not intentional drunkenness (c. 2201 § 3 CIC (1917)), debility of mind (c. 2201 § 4 CIC (1917)), culpable ignorance of the violation of the law (c. 2202 § 1 CIC (1917)) as well as ignorance of the penalty attached to a violation (c. 2202 § 2 CIC (1917)), the omission of due diligence (c. 2203 § 1 CIC (1917)), accident (c. 2203 § 2 CIC (1917)), being of minor age (c. 2204 CIC (1917)), grave fear, even if relatively such, leading to undertaking an intrinsically evil act (c. 2205 § 3 CIC (1917)), inadmissible self-defence (c. 2205 § 4 CIC (1917)) and involuntarily excited passion (c. 2206 CIC (1917)).


The urging of canonists to accept the advice of medical experts in determining whether a suicide was committed out of a person’s free or restricted will, and to consider qualified statements from relatives and friends, suggests that the presumption of the ecclesial legislator was not extensively shared.53

To sum up, until the early 20th century the church presumed that suicides were committed voluntarily and with full responsibility, although opinions were repeatedly voiced that not only declared the possibility of a restriction of free will, but increasingly demanded case-by-case examinations and decisions instead of a blanket presumption.

The Reception of the Findings of Suicidology in the 20th Century

After the Second Vatican Council (1962–65) and its opening up to recent research, the Catholic Church completely abandoned its presumption on the mental state of suicides due to the extensive reception of the human sciences, particularly suicidology, a specialized discipline of psychology and sociology.54 An increasing body of research conducted in this area in the 1950s and 1960s concluded that in the overwhelming majority of cases, suicide should be viewed as a symptom of mental illness and as the lethal conclusion of a particular type


of psychological development. Based on empirical studies, suicide came to be seen as a multidimensional phenomenon involving complex mental, physical, and sociological processes with internal and external factors that often considerably restricted the freedom of its victims.\textsuperscript{56} Above all old age, severe physical or mental illness, social isolation, the escape from fragile interpersonal relationships, diverse fears, for example, of loneliness, the loss of autonomy or severe pain, as well as the feeling of hopelessness and desperation exert a powerful influence on suicidal persons and reinforce suicidal tendencies.\textsuperscript{57} The circumstances and impressions gradually reduce their capacity to cope, until conscious thinking and the ability to control indiscriminate actions are completely nullified when the individual threshold of control or limits of frustration are overstepped.\textsuperscript{58} It is striking that this still unfinished list contains those emotionally laden motives that the church had for centuries interpreted as the loss of hope and apostasy. These were now represented as psychosomatic symptoms of a psychopathological disorder that exerts such an enormous influence on the suicide and his freedom of choice that they can severely mitigate his responsibility.

The fact that Pope Paul VI enjoined a milder interpretation and application of the still valid, restrictive provisions of the CIC/1917 relatively soon after the publication of these findings of suicidology suggests an initial reception of the


\textsuperscript{56} It was assumed that only a fraction of the motives for suicide were visible externally. See Eberhard Lungershausen, \textit{Selbstmorde und Selbstmordversuche bei Studenten}, Theoretische und klinische Medizin in Einzeldarstellungen 38 (Heidelberg: Hüthig, 1968), 52.


\textsuperscript{58} See Holderegger, \textit{Suizid und Suizidgefährdung}, 186.
human sciences. But, there was no direct recourse to this science. By simultaneously condemning suicide while allowing for the probability or at least possibility of a restriction of free will, the fundamental correction of the church’s understanding of suicide caused by the reception of the non-theological human sciences was made explicit both in magisterial statements and canonical documents. Thus, the Catechism of the Catholic Church expresses in a general way that “imputability and responsibility for an action can be diminished or even nullified by ignorance, inadvertence, duress, fear, habit, inordinate attachments, and other psychological or social factors.” Specifically regarding suicide, it notes that “grave psychological disturbances, anguish, or grave fear of hardship, suffering, or torture can diminish the responsibility of the one committing suicide.” A comparison of the canonical norms on church funerals of the CIC/1917 and its successor, the CIC/1983, clearly demonstrates the paradigm shift that was triggered by the reception of the human sciences. While the former, as noted, still presumed responsibility and refused funerals as a legal consequence of suicide, the changed view of this act led to an extensive overhaul of the relevant canons in the reform of the Code. The result was that the current ecclesiastical law on funerals in the CIC/1983 contains neither a presumption nor an explicit norm refusing funerals after suicide.

60. See David Power, “The Funeral Rights for a Suicide and Liturgical Developments,” Concilium (E) 179, 1985:3 (June 1985), 75–81, at 76.
61. Catechism of the Catholic Church (CCC), 1735, http://www.vatican.va/archive/eng0015/__p5n.htm; Pope John Paul II underlined in his encyclical Evangelium vitae that suicides are subject to external and internal influences that can severely impair and even suspend subjective attributability, since “certain psychological, cultural and social conditioning may induce a person to carry out an action which so radically contradicts the innate inclination to life, thus lessening or removing subjective responsibility.” John Paul II, Evangelium Vitae: To the Bishops Priests and Deacons Men and Women Religious Lay Faithful, and all People of Good Will on the Value and Inviolability of Human Life, 25 March 1995 (Rome: Libreria Editrice Vaticana, 1995), para. 66, http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_25031995_evangelium-vitae.html
62. CCC, 2282, http://www.vatican.va/archive/ccc_css/archive/catechism/p3s2c2a5.htm#I. These statements were picked up in the German Bishops’ Conference Catechism for Adults (Erwachsenenkatechismus): Suicidology has shown that suicide is often the culmination of a development that is associated with a severe constriction of mental self-control and an expression of an unresolved life crisis or lessened self-esteem. See Deutsche Bischofskonferenz, ed., Katholischer Erwachsenenkatechismus, vol. 2: Leben aus dem Glauben (Freiburg/Br.: Herder, 1995), 283–84.
63. See. c. 1184 § 1, 3° CIC (1983): “Unless they gave some signs of repentance before death, the following must be deprived of ecclesiastical funerals . . . other manifest sinners who cannot be granted ecclesiastical funerals without public scandal of the faithful.” Code of Canon Law, http://www.vatican.va/archive/eng1104/_index.htm
However, to conclude that there is a contradictory presumption negating the inner freedom of a suicide victim would be as inappropriate and unsubstantiated by the human sciences as to assume his unimpaired free will. Recognized suicide researchers such as Ringel consider suicide based on a rational weighing of considerations (Bilanzsuizid) possible only in a few cases. The church authorities, therefore, not only abolished the presumption of full responsibility, but considered the very possibility of a presumption inadmissible. This is reflected in the church legislators’ eschewal of a presumption on the mental state of suicides that would attribute to them a priori either complete or no responsibility. This would imply that a person is usually in an in-between state: neither fully in one nor the other. Decisions can therefore be made – as Pope Francis noted – only on a case-by-case basis, after a careful and comprehensive consideration of all relevant facts and circumstances. Since then local pastors – and in cases of doubt the local bishop with the same criteria (c. 1184 § 2 CIC/1983) – have been obligated to examine the extent of the suicide’s responsibility by obtaining the conclusions of medical experts, and to assess the subjective imputability of an act of suicide, which continues to be objectively sinful.

Summary

The preceding analysis demonstrated how a paradigm shift took place in the church’s attitude toward suicides during the past century, and the far-reaching consequences it had.

On the basis of the magisterial condemnation of suicide, which remains unchanged even today, the presumption that suicides act on their own free responsibility developed during the first millennium, at the latest with the reception of Augustine’s views. This stance led the church to refuse funerals to suicides, in line with the theological and canonical understanding of the time. While there were always cases in which even the highest ecclesiastical authorities considered the holding of church funerals for suicides necessary and legitimate if it was impossible to fully impute the sinful act, this was the exception

64. See Ringel, Der Selbstmord, 143.

65. This non-presumption is expressed, for example, in the passage of the Catechism that has been quoted through the use of the modal verb “can,” which points to the possibility but not the necessity of the limitation of freedom. See CCC 1735, http://www.vatican.va/archive/ccc_css/archive/catechism/p3s1c1a3.htm#i

to the rule. Only the reception of the human sciences, particularly those of suicidology, in the middle of the 20th century caused the church to comprehensively rethink its age-old interpretation of the phenomenon of suicide. This is remarkable since suicide continues to be severely condemned, as recent papal and dicasterial documents demonstrate.⁶⁷

Despite the existing magisterial condemnation, church authorities at the highest level have internalized the idea that not only can the freedom of a suicide victim be restricted due to severe mental illness (the Paenitentiale Theodori made this distinction already in the 8th century), but that concrete life circumstances can also lessen the subjective responsibility of the suicide. Relative emotions, that is, those that arise under pressure (fears, severe anxiety, hopelessness, etc.) are no longer viewed as just feelings that arise as a reaction to particular situations or as an expression of the loss of faith, but as discernable external symptoms of an internal, psychological illness (for example, depression).

In this manner the reception of the deeper insights of suicidology in the 1950s and 1960s led to a nuanced assessment of suicide. This had consequences for the church’s sanctifying office, and caused it to apply canon law more mildly to suicides. Firstly, the church’s presumption of freely willed responsibility was abrogated. Secondly, the criminal offence of suicide and the canonically regulated refusal of funerals explicit for suicides were eliminated within the revision of the Code of Canon Law of 1917. The fact that church funerals for suicides have been possible ever since, should not, however, be understood as a moral justification of the suicidal act. It should only be seen as a reflection of the ecclesiastical legislator’s understanding that a blanket presumption concerning the mental state of suicides is no longer admissible, in view of recent scientific findings.

In the application of canon law, this inevitably led to a heightened appreciation of the significance of a suicide’s life circumstances and mental state, which pastors must give due consideration to in their decision-making process whether to grant an ecclesiastical funeral or not. Already the post-Tridentine canonists recognized that further changes to the canon law on funerals would not resolve uncertainties about the psychological condition of suicides. This is

⁶⁷ Pope John Paul II condemned suicide in his Encyclical letter Evangelium vitae as being “always as morally objectionable as murder. The Church’s tradition has always rejected it as a gravely evil choice” (EV 66). Suicide, “when viewed objectively, is a gravely immoral act. In fact, it involves the rejection of love of self and the renunciation of the obligation of justice and charity towards one’s neighbour, towards the communities to which one belongs, and towards society as a whole. In its deepest reality, suicide represents a rejection of God’s absolute sovereignty over life and death, as proclaimed in the prayer of the ancient sage of Israel: ‘You have power over life and death; you lead men down to the gates of Hades and back again’ (Wis 16:13; cf. Tob 13:2)” (EV 66).
why, aiming for a deeper understanding of the canons, they strove for a comprehensive understanding of the phenomenon of suicide, and underscored the importance of decision taking case-by-case within the application of law. This case-by-case approach is also highly relevant today since pastors are called on, in view of the current absence of a presumption of the suicide’s full responsibility, to assess imputability based on objective criteria and in consultation with experts, and to decide on this basis whether to grant a church funeral.

The interdisciplinary approach to the church’s pastoral work presented here opens up and postulates possibilities for a nuanced interpretation and application of canon law to other pastoral conflict situations as well. Because of the understanding of the Second Vatican Council about the position of the church seen as being “in the world” it has to receive scientific research and can benefit greatly from the non-theological sciences. It should be emphasized that the extent to which these sciences imbue the church’s thinking and praxis depends on their adoption by the ecclesiastical authorities. The shift in the church’s handling of suicide was significantly aided by the fact that the highest church authority had to continuously grapple with pastoral conflict situations at the level of the local churches, where the bereaved filed appeals against decisions made by the pastors or local bishops. This is exemplified by the case of Giovanni Turriani. After the denial of an ecclesiastical funeral at the level of the local church, the Congregation for Bishops revised this decision after examining the case and granted a church funeral, instructing that in future cases medical experts should be consulted to determine the mental state of suicides. This reveals a reciprocal process of reception which, subsequent to a universal church decision concerning a conflict situation in a particular local church, went on to exert influence on all the local churches. Such processes promoted a universal reception of the insights of the human sciences in the church’s treatment of suicides, and truly led to a sweeping change in attitudes.

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68. On the process of reception in the Catholic Church, see Myriam Wijlens (ed.), *Die wechselseitige Rezeption zwischen Ortskirche und Universalkirche. Das Zweite Vatikanum und die Kirche im Osten Deutschlands*, Erfurter Theologische Schriften 46 (Würzburg: Echter, 2014).
The Coptic Church and the Copts

The Coptic Orthodox Church of Alexandria dates back to the 1st century and is known as the See of Saint Mark. According to its constitution and by-laws, “The Coptic Orthodox Church is an Apostolic Church, intimately bound with other Oriental Orthodox Churches through the unity of faith and Ecclesiastical Tradition and Sacraments.” Moreover, “the priestly presidency of the Apostolic See of Alexandria extends to the whole See of Saint Mark inside and outside Egypt.”

The word “Copts” is equivalent to “Egyptians.” It is derived from the ancient Egyptian “Ha-Ka-Ptah,” meaning the house of the spirit of Ptah, a revered deity in Egyptian mythology. From the Arab conquest to today, this name has referred to the Christian Egyptians to distinguish them from the Muslim natives. The Copts are the successors of the ancient Egyptians, the Pharaohs. The ancient Egyptians were religiously minded by nature, or as Herodotus states, “to excess, far beyond any other race of men.” This was a main cause of their readiness to accept Christianity: to satisfy their curiosity and eagerness to know more about God.

Egypt and the Copts are actually blessed by the Lord, for he said through the mouth of Isaiah the prophet, “Blessed be Egypt my people” (Is. 19:25). With this blessing, the Copts are flourishing despite the many persecutions they have faced throughout history.

1. The Constitution and By-laws of the Holy Synod of the Coptic Orthodox Church, with an introduction by His Holiness Pope Shenouda III, Chapter 1, Article 1, 3rd ed. (Cairo: the Orthodox Coptic Cultural Center, 2011), 3.
2. Ibid., Article 2, 3.
In the Copts, the promise of God is fulfilled, as stated in the Book of Isaiah (19:1), when God said that he would ride on a light and upon a swift cloud and come to Egypt. On that day, there will be an altar to the Lord in the midst of the land of Egypt and a pillar to the Lord at its border (Is. 19:19). This promise was fulfilled when the holy family fled to Egypt from the face of Herod, seeking refuge in Egypt. As a child, the Lord Jesus Christ laid the foundation of his church in Egypt, one of the primary seats in the world.\(^5\) During their journey, idols fell down and many miracles happened. They went through all of Egypt, and every place they passed through is now a church or a holy site. The place of their abode in upper Egypt became the first altar in Egypt, and still exists as a monastery. Even their return from Egypt is stated in the prophecy: “Out of Egypt I called My Son.” (Hos. 11:1)

**Foundation of the Church of Alexandria: See of Saint Mark**

The Church of Alexandria was founded by St Mark, the Evangelist and one of the 70 apostles. He reached Alexandria in 61 CE and was martyred in 64 CE. Before his martyrdom he ordained a bishop (Ananias), three priests, and seven deacons to look after the congregation.

**The Coptic Church of Alexandria: The Origin of Monasticism and Learning**

The Coptic Orthodox Church of Alexandria became distinguished as the origin of monasticism, because the monastic movement in all its forms started in Egypt, from where it spread to the whole world. The church became known for asceticism besides evangelism, as represented in the unique icons and artistic works depicting the life of the Copts, the monks, and the churches. Nowadays, many monasteries still exist and other new ones are established all over the country and are inhabited by numbers of monks and nuns.

The church is also known for being the seat of Christian learning at that time. When St Mark came to Egypt, Alexandria was famous as a home of learning. Therefore, it was necessary to establish a Christian school.

St Jerome records that the Christian School of Alexandria was founded by St Mark himself. He was inspired by the Holy Spirit to establish it for teaching Christianity as the only way to give the new religion a firm foundation in the

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\(^5\) Tadros Y. Malaty, *Introduction to the Coptic Orthodox Church* (Alexandria: St Georg's Church, 1993), 5.
city. This school became the oldest center for sacred science in the history of Christianity.⁶

The most renowned intellectual institution in the early Christian world was undoubtedly the Catechetical School of Alexandria. Its primary concern was the study of the Bible and its interpretation. This school exegesis was to discover the spiritual sense underlying the written word of the scripture. The school was open for all people regardless of their culture or background. By the 2nd century, it became quite influential in the life of the church.

The Catechetical School of Alexandria gave birth to many spiritual and well-known church leaders through the years. Many of those deserved to sit on the throne of Saint Mark. The school also attracted students from other nations, many of whom became leaders and bishops in their churches. Among the names that headed the school are Athenagoras, Pantaenus, Clement, Origen, Alexander, Dionysius, Didymus the blind, and Athanasius.

The Alexandria of Apollos and of St Mark has become the earliest seat of Christian learning. There, already, have the Catechetical Schools gathered in the finest intellectual trophies of the cross; and under the aliment of its library springs up something like a Christian University.⁷

Alexandria becomes the brain of Christendom . . . From the East it has obtained the Scriptures and their authentication and from the same source was deriving the canons, the liturgies, and the creed of Christendom.⁸

Among the prominent figures of the school were Origen and St Athanasius the Apostolic, who was the hero of the First Council of Nicaea. His works are an essential source of dogmatic issues, especially regarding the incarnation and the divinity of Christ. Through its missionary zeal, the school was also able to win more souls to Christianity from Egypt and abroad. It used philosophy as a weapon to maneuver pagan philosophers.⁹

⁶. Ibid., 37.
⁸. Ibid.
⁹. Malaty, Introduction to the Coptic Orthodox Church, 34.
The Coptic Orthodox Church and Theology

The main objective of theological education provided by the church is to continue bearing witness to the Lord Christ amidst the challenges of the new world, while preserving the Tradition of the early church fathers. Being a Traditional Church, the main source of its teaching and dogmas is mainly the holy scripture. Tradition comes as the second source, not less important. The Coptic Church derives its Tradition from the writings of the early fathers before the schism of 451 CE, and the first three councils: Nicene, Constantinople, and Ephesus.

Copts Today in Egypt and Abroad

The Copts are deeply rooted in Egypt and holding fast to it as their home country and place of origin. Even with the wave of emigration, the Copts are not dispersed. They have created Coptic Orthodox communities with Coptic churches all over the world, while remaining true to their principles and their relationship with their mother church and country.

Although they live in different contexts and face new issues and unfamiliar challenges, they hold to the teaching of their mother church. When facing any such case, they refer to their bishop, who in turn either gives guidance applying the same teachings or refers to the holy synod for a solution, which should be approved by all the members of the holy synod. Even the patriarch cannot take a decision on his own, because the Coptic Church is not papal but synodical.

How Decisions Are Made in the Coptic Orthodox Church

The answer to this question requires referring to the meaning of two main terms related to it: akribeia and oikonomia.

Akribeia means strictness, indicating strict adherence to the laws of the church and the fundamentals of faith and teaching. In contrast, oikonomia depends on discretion of the bishops to deviate from the letter of the law and apply the spirit of the law. It is practised in certain cases by some churches for recognition of baptism or ordinations administered in other churches.

The Coptic Orthodox Church however recognizes two meanings for oikonomia. The first concerns God’s dispensation for human’s salvation, and the other concerns how the church handles new matters that may arise and are not
related to the fundamentals of faith. The second meaning is the one intended in this paper.

The Coptic Church applies both approaches (*akribeia* and *oikonomia*) depending on the nature of the issue in question. The Coptic Church applies the *akribeia* approach regarding fundamentals of faith, explicit texts of the scripture, or clear writings of the early fathers. These cannot be surrendered. Examples include the seven sacraments of the church, the nature of Christ, the divinity of Christ, the virgin birth of Christ, the creed, and the Holy Trinity.

On the other hand, the church applies the *oikonomia* approach to issues that do not affect the fundamentals of faith, such as moral issues. These are usually discussed and handled for a decision by consensus of votes of the holy synod.

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### The Practice of Authority and Jurisdiction in the Coptic Orthodox Tradition

As affirmed in a paper on the same topic by the late Metropolitan Bishoy of Damiette,\(^{11}\) using evidence from the church constitution and by-laws: the Coptic Orthodox Church is hierarchal, with the pope as the head of the holy synod consisting of the bishops.\(^{12}\) The holy synod is the highest legislative authority within the church.\(^{13}\) Its decisions are made by consensus, but no voting is done over scriptural commandments or doctrinal matters and theological topics that have been handed down. Furthermore the holy synod is the highest body responsible for faith and doctrine. It can explain the cornerstones of the faith without going against what has been handed down and fixed. Decisions taken by the holy synod are final, but can only be reviewed in case a change occurs. It may forgive, for instance, a guilty person or a person who gave up heresy, and may give its judgment as deemed fit.

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### The Case of Suicide from the Coptic Orthodox Church’s Perspective

The church is fully aware of the changes of time and new challenges. When such a challenge arises, the church authority makes the decision in light of the spirit

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12. Constitution of the Coptic Church, Articles 8, 10, and 12.

of the Bible and the early church fathers in cases where there is no explicit text. The decision is taken so as to preserve God’s purpose for the salvation of every faithful person. The church seeks the salvation of everybody without surrendering its dogma or losing its identity.

In the case of suicide, clear verses exist prohibiting suicide, as well as statements of early fathers against it and expressly prohibiting administering the funeral prayers for the person who dies by suicide.

Generally speaking, suicide is considered the crime of killing oneself, without repentance, which is a grave sin. It violates the sixth commandment: “You shall not murder.” The person who commits suicide is blaspheming against the Holy Spirit, refusing the Spirit’s work and resisting God’s grace.

An exception is when the person who commits suicide does not die immediately but stays alive for some time, for who knows if they have not repented or asked for forgiveness! Another exception are cases where the person committing suicide suffers from a mental disorder.

The church first seeks texts in the holy scripture

According to the holy scripture, suicide is a grave sin. It is a crime, because persons who commit suicide destroy their own life, which they do not own. God is the Creator and sustainer of human life. God alone is the author of life and alone has the authority to take it away. So it is a sin against God, encroaching upon God’s right. Actually, life is a gift from God, and we have no right to end it whenever and as we want.

The commandment in the Old Testament is clear: “You shall not murder” (Ex. 20:13). This commandment is affirmed by the Lord Christ in the New Testament in the Sermon (Matt. 5:21, 22) and again in his words to the rich young man (Matt. 19:18). So committing suicide is forbidden.

A few examples cases of suicide exist in the Bible and they are not approving. One example in the Old Testament is King Saul killing himself (1 Sam. 31). In the New Testament, we find the example of Judas Iscariot, who hanged himself out of remorse and died (Matt. 27:3-5). The Lord actually showed his disapproval of what was going to happen, revealing how its end is eternal destruction, saying, “woe to that one by whom the Son of Man is betrayed! It would have been better for that one not to have been born” (Matt. 26:24f.).

So, based on the biblical passages, persons who kill themselves are considered criminal by the church, unless they are insane. It is the greatest sin, because there is no repentance in it. A person dies in their sin, losing all hope in God’s mercy. It is also against faith because a faithful trusts that everything works for good for those who love God (Rom. 8:28). Furthermore, it is blasphemy against
the Holy Spirit, which is the only unforgivable sin, as the Lord Himself said, “Therefore I tell you, people will be forgiven for every sin and blasphemy, but blasphemy against the Spirit will not be forgiven . . . either in this age or in the age to come” (Matt. 12: 31-32). This is because it means losing hope and refusing the work of the Holy Spirit within a person.

Then the church searches Tradition

Even from the early years of the church, the church saw a consensus about prohibiting suicide and refusing to administer the funeral prayers over the person who died in suicide. Among the early church fathers is Pope Timothy I of Alexandria (381 CE) and his Canon (14), which states, “No oblation shall be done for a person who murders himself, except the case be very clear that he was distracted.”

Another early church father is St Ambrose (340–397 CE). He says expressly, “The holy scripture forbids a Christian to lay hands on himself.” Nevertheless he makes an exception for the virgins who want to keep their chastity, saying: “As regards virgins placed in the necessity of preserving their purity, we have a plain answer, seeing that there exists an instance of martyrdom.” He then gives the example of St Pelagia. And in another book he provides other various examples of virgins and men who killed themselves to keep their chastity, and he says that these were praiseworthy. He considers them triumphant victims who deserve to be beneath the altar while upon the altar is Christ who suffered for all.

St Ambrose cautiously encourages martyrdom, for he says: “No one, whilst longing for the crown of martyrdom may put himself in the way of dangers which possible the weak flesh or a mind indulged could not bear and endure. But again, no one must retire through cowardice, or give up his faith from fear of danger.”

From the 5th century, St Augustine was very clear in prohibiting suicide in more than one place. He says,

16. Ibid.
17. Ibid., Book 2, Chapters. 3–5, 376–79.
19. Ibid., On Duties of the Clergy, Book 1, Chapter 37:187, 188, 32.
It is not without significance, that in no passage of the holy canonical books there can be found either divine precept or permission to take away our own life, whether for the sake of entering on the enjoyment of immortality, or of shunning, or ridding ourselves of anything whatever. Nay, the law, rightly interpreted, even prohibits suicide, where it says, “Thou shalt not kill.”

He says that Judas passed from this life charged not only with the death of Christ, but with his own, for his killing himself was another crime. St Augustine asserts that suicide is a sin and a guilt, and whoever kills a fellow human, either themselves or another, is implicated in the guilt of murder.

The Church Follows the Same Practice to the Present Times

There is consensus in the Holy Synod of the Coptic Church concerning this matter, expressed further by the Triple Blessed Patriarch of the Church, His Holiness Pope Shenouda III in many of his writings. In one of his books, he states that the church does not pray the funeral prayers for persons who committed suicide unless they were insane. The reason, as His Holiness states, is that the church prays the absolution over the soul of the dead during the funeral rite, so the church cannot pray absolution for one who had killed himself.

In another book, His Holiness gives more than one reason. First, killing oneself is the same crime as killing someone else. Second, persons do not own themselves to do whatever they want, because they are created by God from nothing and bought with the blood of Christ. Third, persons who commit suicide do not give themselves a chance for repentance. Fourth, suicide implies despair and loss of hope, as in the case of Judas, while a believer should not lose hope in God’s mercy. Fifth, suicide means lack of belief in God’s love and care for humans, along with lack of belief in another life after death. If such a person has this belief, they will know that their death in this way will not relieve them of their troubles but will lead them to Hades. They will die as murderers and their end will be with the murderers in Hades.

21. Ibid., Book I, Ch. 17, 12
22. Ibid., Book I, Ch. 21, 15.
For all these reasons, the church does not pray the funeral for people who have died by suicide. However, if they lived for some time after committing the deed and spoke with some people, even for a few seconds, they might have regretted and asked forgiveness. So the church in this case may pray the funeral prayers for them.

*Oikonomia* is applied in the case of suicide, for example, when the person suffers from a mental disorder. However, such a case shall be established by testimony of a doctor or a statement from the hospital where that person was perhaps under care. Distress is one of the causes leading to suicide, according to medical findings, which also leads to confused thinking, the inability to concentrate, fears or worries.

Testimony of the relatives of suicidal persons may be acceptable to prove that they were not conscious of their deeds. This would mean they were not responsible for their behaviour, not having control over their acts, as also is the case if these people did not have will or freedom when committing suicide.

And as His Eminence Metropolitan Bishoy states in a paper on euthanasia, it is only for God to determine the day, hour, minute, and even second of one’s death. His Eminence gives the verse (which states, “No one has power over the wind to restrain the wind, or power over the day of death” [Eccles. 8:8]).

So it is agreed in the Coptic Orthodox Church today based on the holy scripture and the saying of the early church fathers. Therefore the practice is that no funeral prayers be administered for those who cut themselves voluntarily from the communion of the church for any reason, whether suicide or heresy.

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**Can There Be a Protective Remedy or a Role for the Church?**

Priests receiving confessions have some responsibility to give advice to their spiritual children they think are at risk of suicide, as for example those falling into depression or facing some troubles. The priest can attempt to remind them that death would not relieve them of their trouble, but rather by killing oneself one would go to hell. It is against faith in God and in eternal life. It is also the church’s responsibility to draw the attention of the congregation from time to time to the importance of seeking God in times of trouble or depression, and to the knowledge of eternal life and what awaits us there.

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In conclusion, suicide, according to the holy scripture and the sayings of the early church fathers, is a sin, a guilt, and a murder. It is unforgivable, for it deprives a person of repentance and trust in God’s love and mercy. And because the church cannot pray for one who lost hope and committed a crime without repenting, funeral services are to be denied in such a case.

However, in cases of mental illness or lack of will or freedom, established medically or through the testimony of relatives, such a person shall not be deprived of prayer by the church. There is even a daily long prayer after the midnight prayer called the “Absolution of the Priests,” in which all priests have to pray for everybody of the congregation and also adds, “Remember, O Lord, those who have nobody to remember, remember us with them in Heavenly Jerusalem.” So nobody is left out of the church’s prayers.
Appendix: Faith and Order
Study Group on Moral Discernment:
Members, 2015–2021

Co-Convenors:
*The Very Rev. Dr Vladimir Shmaliy,* Russian Orthodox Church (Moscow Patriarchate), Russian Federation

*Prof. Dr Myriam Wijlens,* Roman Catholic Church, Germany

Members:
*HG Bishop Abraham,* Coptic Orthodox Church, United States of America (from 2019)

*Rev. Prof. Emmanuel Anyambod,* Presbyterian Church in Cameroon, Cameroon

† *H.E. Metropolitan Prof. Dr Bishoy of Damietta,* Coptic Orthodox Church, Egypt (until 2018)

*Rev. Dr Monica Coleman,* African Methodist Episcopal Church, United States of America (until 2018)

*Rev. Dr Anne-Cathy Graber,* Mennonite World Conference, France

*Dr David G. Kirchhoffer,* Roman Catholic Church, Australia (from 2017)

*Rev. Dr Morag Logan,* Uniting Church in Australia, Australia

*Ms Kristina Mantasasvili,* Ecumenical Patriarchate, Greece

*Prof. Dr Rachel Muers,* Friends World Committee for Consultation, United Kingdom

*Prof. Dr Bernd Oberdorfer,* Evangelical Church in Germany, Germany

*Rev. Prof. Dr Rebecca Todd Peters,* Presbyterian Church (USA), United States of America

*Rev. Prof. Dr Valério Schaper,* Igreja Evangélica de Confissão Luterana no Brasil, Brazil (until 2018)

*Rev. Dr Hermen Priyaraj Shastri,* Methodist Church in Malaysia, Malaysia
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HG Bishop Dr. Maxim Vasiljec, Serbian Orthodox Church, United States of America (until 2017)

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Rev. Dr Odair Pedroso Mateus, Faith and Order Secretariat, WCC

Programme Executive to Faith and Order Study Group 3:
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Rev. Dr Simone Sinn, Faith and Order Secretariat, WCC (from 2018)

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Myriam Wijlens, a Dutch Roman Catholic theologian and canon lawyer, is a full professor at the Catholic Theological Faculty and former vice-president of the University of Erfurt (Germany). Her research focuses on necessary reforms of canonical structures in light of ecumenically relevant ecclesiological developments. On behalf of the Pontifical Council for the Promotion of Christian Unity, she serves on several ecumenical dialogues.

Vladimir Shmaliy is Associate Professor of Systematic Theology and Philosophy of Religion at the Russian Orthodox Church Postgraduate School and at the MEPhi University (Moscow). An archpriest of the Russian Orthodox Church, he has served in many ecumenical dialogues and as a secretary of the theological commission of the Moscow Patriarchate. His research has ranged widely including in theological anthropology and religion and science.

Simone Sinn is Programme Executive with the WCC Faith and Order Commission and Professor of Ecumenical Theology at the Ecumenical Institute, Bossey, Switzerland. She holds a doctorate in theology from the University of Münster, Germany, and is ordained in the Evangelische Landeskirche in Württemberg. Her research and publications have centred on ecumenism and interreligious relations.