

Benevolence and Tiny Human Life: A Pauline Platform for Ecumenical and Cultural Engagement on Abortion Ethics

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Christen-gelowiges word gekonfronteer met die uitdaging om 'n Skriftuurlike basis te vind vir kulturele gesprek met nie-Christene oor aangeleenthede wat spesifiek met die etiek van aborsie te doen het. Een so 'n moontlike basis wat deur Charles J. Daryl genoem word, is die Pauliniese benadering van natuurreg gebaseer op die eise van liefde en sosiale welwillendheid. Vanaf die eerste kontak met die Grieks-Romeinse wêreld, waar aborsie en kindermoord wyd toegepas is, het die eerste Christelike gemeenskap, deur sy verkondiging en navolging van die Pauliniese benadering tot etiek, daardie standpunte radikaal teengestaan, soos blyk uit sowel die werke van die Griekse as die Latynse kerklike skrywers. 'n Minderheid van Christen-kerklike skrywers het egter aansluiting gevind by die Aristoteliese perspektiewe oor vertraagde besieling – 'n benadering wat deur St. Thomas van Aquinas nagevolg is. Sowel die latere Rooms-Katolieke as die vader van die Reformasie, Martin Luther, het die Pauliniese perspektiewe oor die etiek ontwikkel, teenoor die standpunte van St. Thomas. Die Lutherse perspektiewe oor die eise van die liefde en sosiale welwillendheid as die essensie van die etiek en die regte van die mens, bied waardevolle aanknopingspunte vir diskoeers met nie-Christene oor aangeleenthede wat met aborsie verband hou.

1. Introduction

In his two-volume work *Tiny Human Life: When, Whether, and Where*, Francis Nigel Lee considers the literature of the Christian tradition rejecting the practice of abortion from the early Christian Church, through the Reformation of the 16th and 17th centuries. Lee concludes that traditional Christian views have traditionally been strongly opposed to the

practice of abortion (see Lee, 2001 II: 797ff.).¹ Whilst Lee's work provides a strong basis for discourse among Christian evangelicals, the question remains as to the theological basis for ecumenical and cultural engagement with non-Christians on the issue of abortion.

In a fairly recent work, *The Unformed Conscience of Evangelism: Recovering the Church's Moral Vision* (2002), Charles J. Daryl comments upon the lack of intellectual rigor among evangelicals to adopt a biblical worldview approach to cultural engagement. He convincingly demonstrates the urgency of identifying the theological foundations of evangelical ethics in order to bolster its identity and hope of influencing public life. Among the three models considered by Daryl for the practice of Scriptural ethics, is the Pauline approach of natural law. In opposition to the traditional assumption that natural law is antithetical to Christian ethics, Daryl states the view that natural law reflects the way in which God has created the world and that "God's general revelation" applied to ethics, forms the substance of the model of natural law. According to Daryl, the essence of the model of natural law is that of law-based ethics. Daryl then charges modern evangelicals with neglecting the law expressed in the Torah, encouraging them to take obedience to it seriously as a response of love to God who has given them grace in Jesus Christ.

In this paper the relevance of law-based ethics, proceeding from the development of the Pauline perspectives on natural law, Christian virtue and Biblical ethics, and the possibilities of cultural engagement related to the ethical issues involved in the practice of abortion, are considered.

2. The foundations of Biblical ethics in St. Paul's theology

2.1 St. Paul and the doctrine of God's will

In early Christianity the emphasis was on the supernatural law. St. Paul, for example, spoke of a "law written in (men's) hearts" and contemplated the possibility of Gentiles, who do not have the law of the sacred books, doing "by nature the things contained in the law", (Romans 2: 14-15). Nevertheless, although Paul's epistles do contain traces of the belief that the divine will is accessible through human reason, he rejected the traditional aids to reason in this task. To Paul, the Greek aid, human nature, is, instead, something to be overcome. Paul believed that the obviously necessary knowledge of the divine will can only be "spiritually"

1 Also see Daryl, 1995: 47ff.

discerned (1 Corinthians 2: 11, 14), in the sense that God has made it known to us “according to his good pleasure which he hath purposed in himself”, (Ephesians 1: 9).

Paul regarded himself as the apostle of the will of God, which has no other ground but God’s sovereign will itself, and that no laws or eternal truths bind Him; so that what God gives He gives in full freedom, by grace alone. In effect it meant that for Paul the problem of law was rather irrelevant. He was, he declared, “dead to the law, that I might live unto God ...”, (Galatians 2: 19, 21).

Although Paul eschewed natural law then current, he interpreted the idea of natural law from the perspective of God’s sovereign will. With his emphasis on Will as the source of ethical norms, Paul helped to introduce voluntarism, based on the premise of man’s twofold duty to love, into the main stream of Christian thought in late antiquity. Thereby Paul actively strove to harmonise the metaphysical positions that saw the absolute in God’s will with that which saw it in His Wisdom or Reason – if it is God’s will, then God is absolutely free to decree what norms he pleases for man, and the human aids to his decrees are conscience and revelation; if it is God’s Reason, then God is, in a sense, bound to decree according to His Reason, and Reason is the human aid to His decrees. To Paul the synthesis of Will and Reason is established through the demands of love, expressive of God’s Will and known to man by means of reason enlightened by the Holy Spirit.

2.2 St. Paul’s voluntaristic ethics

St. Paul’s letters to the Corinthians, the Romans and the Galatians, reveal St. Paul’s emphasis on the divine will as the source of ethical norms.² St. Paul contrasts God’s will with the notion of rational argument, the core of Greek intellectual achievement itself. To the Corinthians St. Paul writes: “The wisdom of the world is foolishness to God.”³ He informs the Romans that the more non-Christians called themselves philosophers, the more they became vain in their imaginations, and “their foolish heart was darkened”, (Romans 1: 21-22). The core of St. Paul’s teaching was his condemnation of everything that opposed the will of God: the honouring

2 Not all the letters attributed to him are accepted as such by scholars – those usually recognised as his are Romans, both letters to the Corinthians, Galatians, Philippians, the first letter to the Thessalonians, possibly the second, and the letter to Philemon.

3 1 Corinthians 3: 19: “For the wisdom of this world is foolishness with God. For it is written, ‘He taketh the wise in their own craftiness.’”

of idols, the practice of sexual vileness and the propagation of reason over faith (Freeman, 2003: 121).

2.3 St. Paul's rejection of rationalism

St. Paul's treatment of ethical issues in his letters to the Corinthians is reflected in his approach to the questions of moral conduct affecting the Christian community, (1 Corinthians 5: 1-13, 6: 12-20). Taking into consideration the ethics of the Greek environment in Corinth, St. Paul tries to adapt the Gospel he proclaims, in order to present the teachings of Christ to Greek wisdom. His message to the Christian converts in Corinth is that they have only one master, Christ, and that the cross is the only wisdom, (1 Corinthians 1: 10-4: 13). In effect this means that life here and now is a union between Christ and His followers and that this union can only be achieved by faith – an ethical perspective he later pursued in much more detail when the crisis in Galatia developed, and St. Paul had to relate this teaching to Judaism.

For St. Paul, doing the will of God entails avoiding sexual immorality, dishonesty, idolatry, abusiveness, drunkenness and extortion, (1 Corinthians 5: 11). The Holy Spirit provides the moral power according to which Christians can live a life of purity and victory over moral baseness, (1 Corinthians 5). With reliance on the Christian doctrine of redemption St. Paul admonishes: "What? Know ye not that your body is the Temple of the Holy Ghost which *is* in you, which ye have of God, and ye are not of your own? For ye are bought with a price: therefore glorify God in your body and in your spirit, which are God's", (1 Corinthians 6: 19, 20). Paul ensures believers that through the power of the Spirit they are able to withstand the lusts of the flesh: "God *is* faithful, Who will not suffer you to be tempted above that ye are able; but will with the temptation also make a way to escape, that ye may be able to bear *it*." (1 Corinthians 10: 13.)

St. Paul adds an apocalyptic perspective to the demands of piety and living according to God's commands: "For which cause we faint not; but though our outward man perish, yet the inward man is renewed day by day. For our light affliction, which is but for a moment, worketh for us far more exceeding *and* eternal weight of glory; While we look not at the things which are seen, but at the things which are not seen: for the things which are seen *are* temporal; but the things which are not seen *are* eternal", (2 Corinthians 4: 16-18). Central to St. Paul's message of piety, obedience to God and the Christian's hope of glory in Christ, is the call to live according to the ethical pattern attaching the believer to the example of Christ: love for God and the neighbour, (2 Corinthians 8: 9).

2.4 The foundations of St. Paul's ethics in his letters to the Galatians and the Romans

Having contrasted Christ as the Wisdom of God with the human wisdom of philosophers in the letter to the Corinthians, St. Paul, in his letters to Galatia and Rome, contrasts the perfection people can achieve by purely human effort with Christ Who is the perfection of God. Thereby St. Paul strives to correct the imbalance of the Greek outlook that relied too heavily on man's reason.

To St. Paul the true value of the Law could be appreciated only by understanding its place in the development and fulfilment of God's plan, (Galatians 3: 23-25). Although the Mosaic Law was good and holy (Romans 7: 12) because it did convey God's will to the Jews, as law it was unable to provide anyone with the spiritual power necessary to obey it. All the Law could do was to make people aware of sin and the need they have for God's assistance, (Galatians 3: 19-22; Romans 3: 20; 7: 7-13). The whole of mankind needs this divine assistance, as a gift from God, promised to Abraham long before the Law was formulated (Galatians 3: 16-18; Romans 4), and has now been given in Jesus Christ.

To St. Paul, Christ set the ideal example of love. Love is the fulfilment of the Law: if you love your fellow men you have carried out your obligations. All the commands, *You shall not commit adultery, you shall not kill, you shall not steal, you shall not covet*, and so on, are summed up in this single command: *You must love your neighbour as yourself*. Love is the one thing that cannot hurt your neighbour; that is why it is the answer to every one of the commandments.⁴ Formulated differently: the law does not forbid the virtues of love – what the Spirit brings is the opposite of self-indulgence⁵: love, joy, peace, patience, kindness, goodness, trustfulness, gentleness and self-control. There can be no law against things like that, (Galatians 5: 22-23). Love is the guiding principle

4 Romans 13: 9-10. St. Paul's admonition reads: "Owe no man any thing, but to love one another: for he that loveth another hath fulfilled the law. For this, 'Thou shalt not commit adultery, Thou shalt not kill, Thou shalt not steal, Thou shalt not bear false witness, Thou shalt not covet; ' and if *there* be any other commandment, it is briefly comprehended in this saying, namely, 'Thou shalt love thy neighbour as thyself'. Love worketh no ill to his neighbour: therefore love *is* the fulfilling of the law" (Romans 13: 8-10).

5 The vices of self-indulgence are: fornication, gross indecency and sexual irresponsibility; idolatry and sorcery; feuds and wrangling, jealousy, bad temper and quarrels, disagreements, factions; envy; drunkenness; orgies and similar things (Galatians 5: 19).

in the charity which we must show towards everyone, including our enemies. We should do all we can to live in peace with everyone, (Romans 12: 18). While we have the chance, we must do good to all, and especially to our brothers in the faith, (Galatians 6: 10).

All those living in the faith are bound together by the Spirit; they are enabled to live according to the will of God, (Romans 8: 1-4). Through faith and the Holy Spirit man is able to do good works – these good works are prompted by the Spirit (Galatians 5: 22-25; Romans 8: 5-13), open to all those who have faith, whether Jew or pagan, (Galatians 3: 6-9, 14). The implications of being empowered by the Spirit are far-reaching: through the Spirit we are able to transcend sin and to be alive for God in Jesus Christ, (Romans 6: 11f.); through the Spirit we have become sons of God (Romans 8: 12f) : Everyone moved by the Spirit is a son of God. The appeal to love one another is not limited to believers only: God revealed His will in the hearts of non-believers too because the “works of the law” were also inscribed in the hearts of the pagans, (Romans 2: 14, 15). St. Paul’s views on God’s universal revelation of His will, reflects the natural law perspectives then prevalent in the Greco-Roman world of his time – a system of ethical precepts of universal application, implanted in man, knowable through man’s reason and of practical use as “benchmarks” or “standards” for evaluating human conduct.

The reality of salvation in Christ is pictured in more detail in Paul’s letter to the Romans. Similar to his letters to the Corinthians, St. Paul stresses the present reality of salvation – the Spirit is already possessed, as “first fruits” (Romans 8: 23) by the believers. From this commitment to God flow important ethical implications: freedom entails being slaves of righteousness (Romans 6: 18); freedom means to serve God and each other in love (Romans 6: 11-22, 7: 6, 14: 8; Galatians 5: 13); believers are called upon to sacrifice their bodies to God in memory of His mercy (Romans 12: 1) – this is only possible through the power of the Holy Spirit. Also the central claim of brotherly love is based on the common possession of the Holy Spirit, which makes Christians one great body to serve one another.⁶ Through the Spirit we have died and have risen with Christ to a new moral life, (Romans 6: 11). Every one has to live to benefit his neighbour, not himself; he has to act for his neighbour’s good, for his edification, just as Christ lived not to please Himself, but willingly took upon Himself all suffering and every kind of reproach, (Romans 15: 3, 7).

6 Romans 12. See e.g. Romans 12: 4: “For as we have many members in one body, and all members have not the same office ...:

St. Paul's perspective of benevolence resounded in the theology of the "Pauline" Fathers of the early Christian Church, whilst the "Aristotelian" Fathers of the Church approached the issue of abortion from the relativistic perspective of delayed ensoulment of the human fetus. A brief reflection of the implications of these two approaches and their respective legacies in the Christian tradition is given below.

3. The Christian-Aristotelian tradition on abortion and the protection of tiny human life

3.1 *The writings of the Ante-Nicene Fathers down to A.D. 325*

The views of a minority of the Fathers in the early Christian Church, were influenced by the Aristotelian theory of delayed ensoulment. Although they generally endeavoured to promote and further the teachings of the Gospel, elements of relativising human life in terms of the completeness of its "form", paved the way for distinguishing between "formed" and "unformed" manifestations of human life.

In Chapter 12 of the treatise *On the Workmanship of God/ The Formation of Man*, Lactantius, under the heading of "De utere, et conceptione atque sexibus", applies the Aristotelian conception of ensoulment. To Lactantius, the foetus is ensouled on the 40th day, after which the procuring of an abortion amounts to murder (1997: 611-613).

3.2 *St. Thomas Aquinas on abortion and the protection of tiny human life*

The distinction between the formed and unformed foetus was introduced by the Aristotelian Fathers, the result of which was the limiting of homicide to the formed foetus. In the course of time the abortion of the formed foetus only came to be regarded as homicide. The abortion of the formed foetus was regarded as a serious sin, though not meriting severe penance. The theory of animation found its culmination in the theology of Thomas Aquinas. Applying Aristotle's philosophy of form and substance, Thomas approaches the issue of abortion and the protection of tiny human life from the perspective that the soul is the first principle of life in living matter. Ensouled things (*animata*) are living beings, whereas non-ensouled entities (*inanimata*) are those that lack life (*Summa Theologiae* I, quaestio ixxv, articulus 1).⁷ Because life, to Thomas, is displayed mainly

7 "Animata enim viventia dicimus, res vero inanimata vita carentes ..."

by the functions of cognition and movement, the soul, as the first principle of life, is primarily responsible for cognition and movement (see *Summa Theologiae* I, quaestio ixxv, articulus 1).⁸ The soul, which is the first principle of life, is not a body, but the actuality of a body.

From the perspective of potentiality and actuality, matter only exists insofar as it is actual. The intellect is not the actuality of the body. Intellect is not a composite of form and body, but pure form. The human soul, which is called an intellect or mind, is something incorporeal and subsisting. Thomas believes that the body is necessary for the activity of the intellect in order to supply it with its object, for images stand in relation to the intellect as colour in relation to sight. (*Summa Theologiae* I, questio ixxv, articulus 2).⁹

In his commentary on the *Sentences*, Thomas takes up the question of the animation of the foetus. By applying the Aristotelian distinctions of form and matter, and actuality and potentiality, Thomas advances the theory of delayed animation of the human foetus. Furthermore he accepts the Aristotelian distinction regarding the time of male and female animation. As a result of his Aristotelian inclinations, Thomas accepts the Gratian distinction that the person will be charged with homicide only if the foetus is formed (see Connery, 1977: 111).

Thomas believes that the human soul is not infused at conception, but at some time between conception and birth.¹⁰ He maintains that the soul is infused only when the foetus has the form to receive the soul. (*Summa Theologiae* I, questio ixxvi, articulus 1).¹¹ This implies that early abortions, for Thomas, are not murder, because actual human life does not begin until well after conception. The developing foetus does not count as a human being until it possesses a human soul, and this does not occur until the foetus has developed its brain and sensory systems to the point where it can support the distinctive intellectual capacities of a human being. This point comes somewhere in the middle of the foetus's development. His views about when human life begins are shaped by his

8 "Vita autem maxime manifestatur duplici opera, scilicet cognitionis et motus."

9 "... quod corpus requiritur ad actionem intellectus, non sicut organum quo talis actione exerceatur, sed ratione objecti; phantasma enim comparator ad intellectum sicut color ad visum."

10 This is the theory of delayed animation.

11 "Intellectivum ergo principium est forma hominis ... Relinquitur ergo quod intellectivum principium sit propria hominis forma ... Si autem secundum aliquod sui sit forma, id quod est forma dicimus animam ..."

view that material beings have life by virtue of having a soul and that human beings are made human by having a specifically human or rational soul (see Pasnau, 2002: 108-109).

The direct implication of Thomas's views on delayed ensoulment is a relativistic ethic in terms of which a distinction is made between higher and lower forms of human life, depending on whether ensoulment has taken place or not. In line with Aristotle's hylemorphism, the embryo, before ensoulment, is not yet a human person (see Donceel, 1988: 48).

3.3 The Catholic Church's deviation from St. Thomas's views on tiny human life

Mainstream Catholic thinking did not follow Thomas's views on delayed hominisation. Pius XI, in his Encyclical *Casti Connubii*, rejected justifications of abortion, whilst Pius XII excluded every act tending directly to destroy human life in the womb, "whether such destruction is intended as an end or only as a means to an end" (Pius XI, 1930; John Paul II, 1995: 110-111; Pius XII, 1944: 191). John XXIII reaffirmed the view that human life is sacred because "from its very beginning it directly involves creative activity" (John XXIII, 1961: 3). The Second Vatican Council sternly condemned abortion with excommunication. The revised canonical legislation continues this tradition with its decree that "a person who actually procures an abortion incurs automatic (*latae sententiae*) excommunication" (Code of Canon Law, Canon, 1398). The Church clearly states that abortion is a most serious crime (Code of Canon Law, Canon, 1329). The Dogmatic Constitution on the Church, *Lumen Gentium*, emphasises that abortion always constitutes a grave moral disorder, since it amounts to the deliberate killing of an innocent human being. It is added that this doctrine is based upon the natural law and upon the written Word of God, and is transmitted by the Church's tradition and taught by the ordinary and universal Magisterium (Second Vatican Ecumenical Council, Dogmatic Constitution on the Church, *Lumen Gentium*, 25).

In the *Evangelium Vitae*, John Paul II explicitly rejected the Thomistic position on the delayed hominisation of human foetuses. John Paul II states that from the time that the ovum is fertilised, a life is begun which is neither that of the father nor the mother; it is rather the life of a new human being with its own growth: "It would never be made human if it were not human already" (1995: 107).¹² Stating clearly that from law-

12 He added: "Some people try to justify abortion by claiming that the result of conception, at least up to a certain number of days, cannot yet be considered a personal human life. But in fact, from the time that the ovum is fertilized, a life is begun which

based biblical ethics, abortion amounts to murder (1995: 70), John Paul II states that “concern for the child, even before birth, from the first moment of conception” and then throughout the years of infancy and youth, “is the primary and fundamental test of the relationship of one human being to another” (John Paul II, 1982: 50). In his *Evangelium Vitae*, John Paul II added that the mere probability that a human person is involved would suffice to justify an absolutely clear prohibition of any intervention aimed at killing a human embryo (John Paul II, 1995: 60).

4. The Pauline perspectives on benevolence and tiny human life in the early Christian Church

4.1 The writings of the Ante-Nicene Fathers down to A.D. 325

From an epistle dating from approximately the year 100, probably authored by Barnabas the Levite of Cyprus, it appears that among followers in the early Christian Church, the focal point of the principle of neighbourly love expounded by St. Paul, had become a widely accepted basis for judging on ethical issues. Barnabas observes for example that for attaining the standards of the kingdom of heaven, practising love towards God and one’s neighbour is essential (Barnabas, 1997: 275). The principle of benevolence towards one’s neighbour includes not to “take council against thy neighbour”, not to commit fornication, to shun adultery, not to corrupt the youth. He adds that men should “love thy neighbour more than thine own soul (Barnabas, 1997: 275). In terms of the principle of neighbourly love, men are prohibited from slaying a child by procuring abortion; “nor, again, shalt thou destroy it after it is born (Barnabas, 1997: 275-6).

The father of Western or Latin Christianity, the presbyter Tertullian, from Carthage, subscribes to the principle that the “soul, being sown in the womb at the same time as the body, likewise simultaneously receives its sex along with it” and that the “insertions” of soul and body “are inseparable” (Tertullian, 1996, 1997: 393, 394). In his *Apologetic* on the soul, Tertullian comments on the formation and state of the embryo that “the entire process of sowing, forming, and completing the human embryo in the womb” is regulated by God’s will, “whatever may be the method which it is appointed to employ”. (Tertullian, 1996, 1997: 394). In his rejection of the Roman superstitions that imagined the goddess *Alemona*

is neither that of the father nor the mother; it is rather the life of a new human being if it were not human already” (1995: 107).

to nourish the foetus in the womb, the goddesses *Nona* and *Decima*, called after the most critical months of gestation, *Partula*, “to manage and direct parturition, and *Lucina*, to bring the child to the “birth and light of day”, Tertullian believed the angels to execute God’s will. Proceeding from the sovereign will of God, Tertullian states that the embryo is already a human being in the womb.¹³ To Tertullian abortion amounts to murder: “The law of Moses, indeed, punishes with due penalties the man who shall cause abortion, inasmuch as there exists already the rudiment of a human being, which has imputed to it even now the condition of life and death, since it is already liable to the issues of both, although, by living still in the mother, it for the most part shares its own state with the mother” (Tertullian, 1996, 1997: 394).

The early Christian apologist from the second century, Athenagoras the Athenian, answering to St. Paul’s speech on Mars Hill and heeding St. Paul’s call to the Corinthians, establishes a vast difference in morals between the Christians and their accusers (Athenagoras, 1997: 283). Athenagoras states the Christian condemnation of cruelty, in terms of which murder is condemned. To him murder includes the practices of women “who use drugs to bring on abortion” and they “will have to give an account to God for the abortion”. On the same basis, as the very foetus in the womb is a created being, “and therefore an object of God’s care”, it may not be killed, and the exposure of infants will also amount to murder (Athenagoras, 1997: 284).

Minucius Felix, in his *Octavius*, ascribes the deeds of “some women who, by drinking medical preparations, extinguish the source of the future man in their very bowels, and thus commit a parricide before they bring forth” to the bloody deeds of the Gentiles who practise abortion (Felix, 1997: 378).

Lactantius, in his work *On the Workmanship of God/ The Formation of Man*, under the heading *De Utero, Et Conceptione Atque Sexibus*,

13 In his *Apologeticus* (IX.8) Tertullian states: “Nobis vero semel homicidio inderdicto etiam conceptum utero, dum adhuc sanguis in hominem delibatur, dissolvere non licet. Homicidii festinatio est prohibere nasci, nec refert natam quis eripiat animam an nascentem disturbet. Homo est et qui est futurus; etiam fructus omnis iam in semine est.” P.C. Ijsseling, in his Dutch translation of the *Apologeticum*, put this as follows: “Ons is alle menschenmoord voor eens en voor altijd verboden; ook het doen omkomen van de vrucht der moeder in den schoot, terwijl de mensch nog gevormd wordt. De geboorte verhinderen is een vervroegde menschenmoord; het is in den grond dezelfde zaak, of men een reeds geboren leven verwoest, dan wel een leven, dat nog geboren wordt, te niet doet. Een menschelijk wezen is ook dat, wat een mensch worden zal; de geheele vrucht is reeds in het zaad besloten.”

discusses the the process of conception and the treatment of the unborn (Lactantius, 1997: 611, 612).

In the *Teaching of the Twelve Apostles*, abortion is included among the gross sins forbidden by the commands to love God and one's neighbour. The other sins include murder, adultery, paederasty, fornication, theft, practising of magic, witchcraft and murder (Apostles, 1997a: 758). The gross sin of abortion is in direct conflict with the love due towards God and one's neighbour (see Apostles, 1997a: 758-760).

In the *Constitutions of the Holy Apostles*, Book 7, Concerning the Christian Life, and the Eucharist, and the Initiation into Christ, Section I, Chapter III, the prohibition of conjuring, murder of infants, perjury, and false witness, includes the sin of abortion: "Thou shall not slay thy child by causing abortion, nor kill that which is begotten; for 'everything that is shaped, and has received a soul from God, if it be slain, shall be avenged, as being unjustly destroyed'" (Apostles, 1997b: 927).

In the *Apocalypse of Peter*, the apocalyptic visions of Peter reflect on the destinations of the righteous and the damned. Near a lake, full of flaming mire, and a place full of evil snakes, the souls of the murdered looked upon the punishment of their loveless murderers, whilst nearby "the gore and the filth of those who were being punished ran down and became there as it were a lake: and there sat women having the gore up to their necks, and over against them sat many children who were born to them out of due time, crying; and there came forth from them sparks of fire and smote the women in the eyes: and these were the accursed who conceived and caused abortion" (Peter, 1997: 218).

4.2 The Nicene and Post-Nicene Fathers

St. Augustine took the unborn killed as a result of abortion to be human beings reckoned among the dead, and who shall have a part in the resurrection. In his *On Christian Doctrine*, Augustine states that he fails to see why, if they are not excluded from the number of the dead, "they should not attain to the resurrection of the dead" (Augustine, 1996, 1997b: 1042). "For either all the dead shall not rise, and there will be to all eternity some souls without bodies though they once had them, – only in their mother's womb, indeed; or, if all human souls shall receive again the bodies which they had wherever they lived, and which they left when they died, then I do not see how I can say that even those who died in their mother's womb shall have no resurrection" (Augustine, 1996, 1997b: 1024).

In his work *On the Trinity*, St. Augustine starts with the assumption that man was made in the image of the triune God, the God of revelation. With regard to the death of man and the resurrection of the dead, St. Augustine considers the question of exactly when the infant begins to live in the womb: whether life exists in a latent form before it manifests itself in the motions of the living being. St. Augustine argues that to deny that the young who are cut out limb by limb from the womb, lest if they were left there dead the mother should die too, have never been alive, seems too audacious. He maintains that from the time that a man begins to live, from that time it is possible for him to die: “And if he dies, wheresoever death may overtake him, I cannot discover on what principle he can be denied an interest in the resurrection of the dead” (Augustine, 1996, 1997c: 517). Because the material of the body never perishes; “but though it may crumble into dust and ashes, or be dissolved into vapours and exhalations, ... it returns in a moment of time to that human soul which animated it at the first, and which caused it to become man, and to live and grow” (Augustine, 1996, 1997c: 518). God, the Artificer of “marvellous and unspeakable power”, shall restore our body, using up the material of which it originally consisted, “the great Artist taking careful heed that nothing shall be unbecoming or out of place” (Augustine, 1996, 1997c: 519).

In his *Homilies on the Epistle to the Romans* (Romans 14: 14), Chrysostom, from the perspective of the demands of neighbourly love, pleads for moderation among Christians in their daily living. He admonishes the followers of Christ to guard against drunkenness because it is the mother of fornication and brings disgrace on those indulging in uncleanness. The one sin leads to the next until ultimately it leads to practices worse than murder – abortion. Chrysostom asks: “Why then bring disgrace upon all these? Why sow where the ground makes it its care to destroy the fruit? Where there are many efforts at abortion? Where there is murder before the birth? For even the harlot thou dost not let continue a mere harlot, but makest her a murderess also. You see how drunkenness leads to whoredom, whoredom to adultery, adultery to murder; or rather to something worse than murder. For I have no name to give it, since it does not take off the thing born, but prevents its being born. Why then dost thou abuse the gift of God, and fight with His laws, and follow after what is a curse as if a blessing, and make the chamber of procreation a chamber for murder, and to arm the woman that was given for childbearing unto slaughter” (Chrysostom, 1996, 1997: 932). In order to shun these vices, Christ must be seen in every part of us. And how is He seen? He is seen when believers do His deeds and make no provision for the flesh to fulfil the lusts thereof (Chrysostom, 1996, 1997: 932). Christians should lead a

life of moderation, for in this way they shall be able to attain to the good things to come, “by the grace and love toward man” (Chrysostom, 1996, 1997: 934).

St. Jerome, in his criticism of the luxury, profligacy, and hypocrisy prevalent among both men and women in the Roman society of his time, condemns those who profess virginity, but in fact partake in unclean sexual practices, ultimately killing their unborn children by means of abortion: “You may see many women widows before wedded, who try to conceal their miserable fall by a lying garb. Unless they are betrayed by swelling wombs or by the crying of infants, they walk abroad with tripping feet and heads in the air. Some go so far as to take potions, that they may ensure barrenness, and thus murder human beings almost before their conception. Some, when they find themselves with child through their sin, use drugs to procure abortion, and when ... they die with their offspring, they enter the lower world laden with guilt not only of adultery against Christ but also of suicide and child murder” (Jerome, 1997: 118).

St. Basil, in a letter to Amphilochius, concerning the canons, unequivocally states that the woman who purposely destroys her unborn child is guilty of murder. He also rejects the Aristotelian distinction between formed and unformed foetuses: “With us there is no nice enquiry as to its being formed or unformed” (Basil, 1996, 1997: 531). He adds that not only the being about to be born is vindicated, but also the woman “in her attack upon herself; because in most cases women who make such attempts die” (Basil, 1996, 1997: 531). The destruction of the embryo is an additional crime, a “second murder, at all events if we regard it as done with intent” (Basil, 1996, 1997: 531). The punishment of these women should not be for life, but for the term of ten years. He adds that their treatment should depend not on mere lapse of time, but on the “character of their repentance.” (Basil, 1996, 1997: 531). Replying to the question of whether women who administer drugs to cause abortion, as well as those who take poisons to destroy unborn children, act intentionally and are guilty of murder, he answers in the affirmative (Basil, 1996, 1997: 534).

St. Basil’s comments on voluntary and involuntary homicides find strong support in the Ancient Epitome of Canon 23 of the Canons of the Seven Ecumenical Councils, where it is stated that “it is clear from the great length of penance, how enormous the crime was considered, no light or short penance being sufficient” (The Seven Ecumenical Councils, 1996, 1997: 189). In Canon 21, St. Basil’s views, concerning women who commit fornication, and destroy that which they have conceived, or who are employed in making drugs for abortion, are supported by following the

suggestion of ten years penance (The Seven Ecumenical Councils, 1996, 1997: 187). In the Ancient Epitome of Canon 91, it is stated that “(w)hoever gives or receives medicine to produce abortion is a homicide” (The Seven Ecumenical Councils, 1996, 1997: 768). The Councils also subscribe to the untenability of the distinction between formed and unformed foetuses: “She who purposely destroys the foetus, shall suffer the punishment of murder. And we pay no attention to the subtle distinction as to whether the foetus was formed or unformed. And by this not only is justice satisfied for the child that should have been born, but also for her who prepared for herself the snares, since the women very often die who make such experiments” (The Seven Ecumenical Councils, 1996, 1997: 768). Canon 91 clearly states the principle pertaining to abortion: “Those who give drugs for procuring abortion, and those who receive poisons to kill the foetus, are subjected to the penalty of murder” (The Seven Ecumenical Councils, 1996, 1997: 768), (Genesis 2: 7).

From its first contacts with the Greco-Roman world, where abortion and infanticide were widely practised, the first Christian community, by its teaching and practice, radically opposed these practices, as appears from both the Greek and the Latin ecclesiastical writers.¹⁴ Throughout Christianity’s two thousand year history, this same doctrine has been constantly taught by the Fathers of the Church. Pope John Paul II concludes, concerning the view on abortion held by the Fathers of the Church and by her pastors and Doctors, that “(e)ven scientific and philosophical discussions about the precise moment of the infusion of the spiritual soul have never given rise to any hesitation about the moral condemnation of abortion” (1995: 110). The Reformed author, Francis Nigel Lee, states in similar terms that the early Church Fathers, even before the “great incarnational declarations” at the Council of Nicea in 325 A.D., all seem to have followed the “zygotic” teaching of both the Old(er) and the New(er) Testaments: “This is the Biblical teaching that a human being’s soul is connected to his or her zygotic or embryonic body no earlier or later than at conception itself” (Lee, 2001 I: 90).¹⁵

14 See for example, the remarks of the Greek author Athenagoras and the Latin author Tertullian above.

15 Lee, 2001 I: 90-91, adds that the early Church Fathers like Clement of Rome, Justin Martyr, Irenaeus, Theodotus, Tertullian, Dionysius of Alexandria, the *Apostolic Constitutions*, Methodius, and Lactantius, gave their verdict on prenatal human life in “much more Biblical form” compared to the *Targums* and the *Talmud* and Judaistic philosophers like Philo and the great Jewish historian Josephus.

4.3 Martin Luther on the nature of man and the demands of benevolence and justice

4.3.1 Man as the unity of body and soul

Luther approaches the issue of the nature of man following the Pauline perspective on law-based ethics. To the question of whether Plato's opinion about the soul is true, Luther replies in the negative. He believes that God made the whole man from the dust of the earth, for the Biblical text in Genesis 2: 7 says that God made man. "Man" does not mean the body alone but always means the body and the soul, and accordingly the Scriptures call the soul "the breath of life". Since, to Luther, the soul was in that instance made with the body, so when a child is born the soul is created together with the body, contrary to Plato. Luther states that although all others disagree, it is his opinion that the soul isn't added from the outside but is created out of the matter of the semen. Luther provides the following reason: "If the soul came from somewhere else, it would be made bad by contact with the body, but the soul isn't bad by chance but by nature. Consequently the soul must be born out of "corrupt matter and seed and must be created by God out of the matter of a man and a woman." (LW, 54: 401 (Table Talk, No. 5230: Luther rejects the pre-existence of the soul between September 2 & 17, 1540)).

4.3.2 Man and the image and likeness of God

In opposition to Aristotle's hylemorphism, Luther, in his commentary on Genesis 1: 27, advances the unbridgeable differences between man and all other creatures. Although the beasts in some respects resemble man¹⁶, Moses points out an outstanding difference between these living beings and man when he says that man was created by the special plan and providence of God (LW, 1: 56 (Lectures on Genesis (Genesis 1: 27))). This indicates that man is a creature far superior to the rest of the living beings that live a physical life, especially since as yet (before the Fall) his nature had not become depraved. (LW, 1: 56 (Lectures on Genesis (Genesis 1: 27))). Man is set apart by his creation in the image of God. (LW, 1: 56 (Lectures on Genesis (Genesis 1: 27))). This means that man was created for his physical life in such a way that he was nevertheless made according to the image and likeness of God. (LW, 1: 57 (Lectures on Genesis (Genesis 1: 27))).

16 E.g. they dwell together; they are fed together; they eat together; they receive their nourishment from the same materials; they sleep and rest among us.

Luther maintains the pre-lapsarian integrity of man's faculties. The fact that man was originally created in the image of God entails, says Luther, that "no leprosy of sin adhered to his (man's) reason or to his will." Man's intellect, to Luther, was the clearest, his memory was the best, and his will was the most straightforward (*LW*, 1: 26 (Lectures on Genesis (Genesis 1: 27))). Adam had an enlightened reason, a true knowledge of God, and a most sincere desire to love God and his neighbour (*LW*, 1: 63 (Lectures on Genesis (Genesis 1: 27))). In essence the pre-lapsarian integrity of man was the result of the fact that God did not create man evil, He created him perfect – rational, holy, with a knowledge of God, with sound reason, and with good will toward God (*LW*, 2: 122 (Lectures on Genesis (Genesis 8: 22))).

Due to man's Fall into sin, every imagination of man's thoughts is evil. Without the enlightening work of the Holy Spirit every capacity of human reason is evil and man is completely ungodly before God. Enlightenment only comes through the work of the Holy Spirit; therefore unenlightened reason and imagination fail where the senses and understandings are mortified with all their powers (*LW*, 6: 261 (Lectures on Genesis (Genesis 35: 11))). Enlightenment only comes through the gospel, because it is very near to us (*LW*, 52: 57 (Sermons II, The Gospel for the Main Christmas Service, John 1: 1-14)). Enlightened reason will draw man's sinful will in its wake. If reason is changed into a new light, then man's entire life and all of his powers must follow after the new light and be changed. For wherever reason goes, there man's will follows. Wherever the will goes, there love and desire follow; the whole of man must follow the gospel and become new (*LW*, 52: 78 (Sermons, The Gospel for the Main Christmas Service, John 1: 1-14)).

4.3.3 Divine law in a moral sense and rights of love

To Luther, not only did God create the whole of reality but he still maintains it in His benevolent rule and providence. In order to assist man after Adam's fall into sin, God gave Moses the First and Second Tables of the Decalogue as a written record of the law of nature inscribed in man's heart (*LW*, 22: 150 (Sermons on the Gospel of St. John (John 1: 29))). The Decalogue is a reflection of God's "perfect and right" will (*LW*, 35: 244 (Word and Sacrament I: Prefaces to the Old Testament)), and contains both the essential elements for the norms and rights pertaining to man. The normative dimension of the Decalogue is reflected in the authoritative divine laws contained in both Tables of the Decalogue. The laws of the Second Table in particular are expressive of the demand to love the

neighbour and constitute the essence of man's duty of maintaining benevolence in all social relationships. In a particular sense the Second Table of the Decalogue constitutes the norms and rights pertaining to the benevolent treatment of others in society.

4.3.4 *Natural rights, love and social benevolence*

The divine ordinances infused in man's personality postulate natural rights for man to fulfil his calling and duty towards God and live in peace and harmony with his fellow-men. According to Luther certain institutions exist as manifestations of natural right.¹⁷ Natural rights are really divine rights because they are stamped on man's nature. Since only an extraordinary act of God can change this right, the right to contract marriage for example necessarily remains. Because the natural desire of one sex for the other is an ordinance of God, it therefore is a right. Because all stations and callings of man have to serve God and the neighbour, these institutions and the natural rights accompanying them are rights of love (see *LW*, 25: 216 (Lectures on Romans (Romans 3: 4)), 441 (Romans 12: 2), 470 (Romans 13: 1), 501 (Romans 14: 14), 502 (Romans 14: 14) and *LW*, 25: 446 (Romans 12: 6, 7)).

The essence of natural law is the love of the neighbour and the promotion of peace and justice in society. The supreme divine law for the attainment of justice in society is the twofold command of love contained in the precept to love your neighbour as yourself and the demand to treat your neighbour as you would like to be treated. The essence of benevolence in social relationships, based on the precepts of neighbourly love, is expressed in Luther's commentary on Romans 13: 10: "Love worketh no ill to his neighbour: therefore love is the fulfilling of the law (*LW*, 25: 474 (Lectures on Romans (Romans 13: 10))). The interpretation favoured by Luther of the commandment "You shall love your neighbour as yourself", is that we are commanded to love only our neighbour, using our love for ourselves as the example. This, to Luther, is the better interpretation,

17 Because natural law is an imprint of moral law in the innermost recesses of man's existence, the principles thereof are immutable, although the application of natural law precepts may differ from time to time and from place to place because a person does not recognise God's will for himself independently, but only by hearing the Scripture. This implies that natural laws are always and universally valid, unlike positive laws and rules whose validity is limited to a particular time and place, they "prevail and remain in all lands" 9*LW*, 40: 97-98 (HP), *LW*, 46: 291 (OM); *LW*, 14: 14 (SP); *WA*, 30(III): 225; *WA*, 31(I): 223). Whereas positive laws must be changed as circumstances require, natural law is unchangeable.

because man with his natural sinfulness does love himself above all others, seeks his own in all matters, loves everything for his own sake, even when he loves his neighbour or his friend, “for he seeks his own in him” (*LW*, 25: 475ff. (Lectures on Romans (Romans 13: 10))).

To Luther this is a most profound commandment, and each person must test himself according to it by means of a careful examination, for through the expression “as yourself,” every pretence of love is excluded. Therefore he who loves his neighbour on account of his money, honour, favour, power or comfort, and does not love the same person if he is poor, lowly, unlearned, hostile, dependent or unpleasant, clearly has a hypocritical love, not a love for himself, but a love for his neighbour’s goods for his own benefit, and thus he does not love him “as himself,” even if he is a pauper, or a fool, “or a plain nothing.” “For who is so useless that he does not love himself and does not love others in the same way. Therefore, says Luther, this is the hardest commandment of all, and this is that no one wishes to be robbed, harmed, killed, to be a victim of adultery, to be lied to, victimised by perjury, or have his property coveted. But if he does not feel the same way also about his neighbour, he really is guilty of breaking this command (*LW*, 25: 475ff. Lectures on Romans (Romans 13: 10)).

The direct implication of loving one’s neighbour in this way is that by optimising the freedom and equality of all, one is also working towards increasing one’s own liberty and equality. Social benevolence in this sense works for the general good and the well-being of each person within the social body individually and collectively. Social benevolence also works towards attaining the highest virtue in the temporal sphere, namely to accomplish justice. The text of Romans 15, read together with Micah 6: 8, “(h)e hath shewed thee, O man, what is good, and what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God”, requires the doing of justice; it means to harm no one, to render to each person what is his own, to bother no one; on the other hand, to help others, to promote their welfare, to prevent damage and violence, so that the wealthy may not surround and oppress the needy, and so that the guilty may be punished and the innocent protected. (see *LW*, 18: 260 (The Minor Prophets I: Hosea – Malachi (Micah 6: 7))). Furthermore the prophet embraces the good part of Christian behaviour or of Christian morals. Violence against one’s neighbour is forbidden; then covetousness, that one should not covet one’s neighbour’s goods, or wish him ill, but should protect him, ward off danger from him, etc. (*LW*, 18: 260 (The Minor Prophets I: Hosea – Malachi (Micah 6: 8))) – this is the truly good behaviour God requires of the devout.

Promoting the good and attaining justice is by implication only possible through the work of the Holy Spirit. For this reason we need the Decalogue not only to apprise us of our lawful obligations towards others, but we also need it to discern how far the Holy Spirit has advanced us in His work of sanctification and by how much we still fall short of the goal, lest we become secure and imagine that we have done all that is required. Thus we must constantly grow in sanctification and always become new creatures in Christ. This means “grow” and “do” so more and more (2 Peter 3: 18) (*LW*, 41: 166) – this is sanctification according to the Second Table of Moses.

By practising love in furthering social benevolence the law is fulfilled, and the “practitioner” of love towards the neighbour experiences the blessings of promoting the good and justice in society, and society is transformed into the most noble love of moral virtue, and aims at every other good only in relation to the supreme good. Then benevolence and friendship become one, as Christ proclaimed in the “new commandment”: “That you love one another as I have loved you,” that is with the most perfect friendship and social benevolence. Social benevolence, so to speak, proceeds from a “subjective” platform, generating “objective” virtues; it increases as society increases; society improves as it increases, because benevolence is perfected by this growth in the social body, and society increases qualitatively as love, peace and justice, which form the end of society, are formed. It also means that as long as one person remains outside society, and some good is excluded from its aim, it has not attained its ultimate goal. Justice is not only the best good but the condition and legitimate origin of every good. Such a society will therefore tend principally toward love as the greatest good and source of every good.

The kind of benevolence proper to the noblest of societies will be that by which each member of the society desires principally moral perfection, through their love for God and each other, for all the associates of the social body. Therefore societies should strive towards benevolence which is purely a love of virtue, an essentially objective, unselfish expression of love. To attain this ideal God’s law of love, as expressed in both the Decalogue and the precepts of the divine spiritual law in a moral sense, forms the basis for attaining the highest good in the society.

A close link exists between Luther’s views on natural law and his views on natural right. In essence, says Dowey, natural law in Luther’s thought refers to God’s ordering of the universe and the functioning of the human will in accordance with God’s will. The latter is natural right, or justice, understood in human society as distributive justice, entailing appropriate

guilt and punishment for violation. The human conscience, continues Dowey, is natural right within the human soul, the ability to distinguish between right and wrong. The divine ordinances in man give rise to natural rights for man to fulfil his calling and duty towards God, to live in peace with his fellow-man and to promote justice in society (Dowey, 1984: 146ff.) To put it differently: a person has rights in order to discharge duties. As John Witte says: Freedoms and commandments, rights and duties, belong together in Luther's formulation. To speak of one without the other is ultimately destructive. "Rights without duties to guide them quickly become claims of self-indulgence. Duties without rights to discharge them quickly become sources of deep guilt" (Witte, 2002: 302).

In Luther's thought on social rights and duties, the First Table of the Decalogue prescribes duties of love that each person owes to God: to honour God and God's name, to observe the sabbath day of rest and worship, to avoid false gods and false swearing. The Second Table prescribes duties of love that each person owes to neighbours: to honour one's parents and other authorities, not to kill, not to commit adultery, not to steal, not to bear false witness, not to covet (see Witte, 2002: 302-303). Thereby social benevolence underlies and undergirds all social duties and rights: "One person's duties not to kill, to commit adultery, to steal, or to bear false witness thus give rise to another person's rights to life, property, fidelity, and reputation." Witte adds that for a person to insist upon vindication of these latter rights is not necessarily to act out of self-love, it is also to act out of brotherly love. To claim one's own right is in part a charitable act to induce one's neighbour to discharge his or her divinely ordained duty" (Witte, 2002: 303).

If the duties and rights in the Second Table come into conflict with those in the First Table, the correct method of interpreting would be to let the rights in the Second Table yield to those in the first, "for God is the Creator, the Head, and the Lord of father and mother, the state, and the home" (*LW*, 6: 27 (Lectures on Genesis (Genesis 31: 20))). Luther adds: All these (precepts and rights) must be subject to the Creator or the creature, I reply that the creature should be abandoned. For the First Table takes precedence, and when it has been obeyed, then also the Second Table has its place; then you should obey your parents and bear and suffer wrongs for them, "but for Me," says God, "not against Me and against the First Table" (*LW*, 6: 2 (Lectures on Genesis (Genesis 31: 20))).

In Luther's theology grace is superior to rights. The superiority of grace to rights entails that obedience to God is of much more importance than the maintenance and enforcement of rights: "Let everything in the world go,

even Moses, laws, rights, and listen to this King” (*LW*, 12: 73 (Selected Psalms (Psalm2: 12))). Whereas rights belong to the temporal domain, grace belongs to the spiritual sphere; therefore, there is in Scripture no spiritual authority or power, but only servants and subjects – together with all the rights, liberties, and privileges pertaining to them (*LW*, 21: 332 (The Sermon on the Mount and the Magnificat (Luke 1: 51))). Elsewhere Luther states that not rights but the Word of God ranks supreme (*LW*, 34: 134 (The Disputation Concerning Man)), and that neither laws nor rights contribute towards our justification but only faith in Christ (see *LW*, 35: 194 (On Translating: An open Letter)).

What are the implications of substituting right for might? In his summary of the prophet’s prophecy against Israel for treating the poor unjustly, Luther makes the point that where the respect for the ordinance of God is lost, the respect for human rights is also tarnished (*LW*, 18: 139 (The Minor Prophets I: Hosea – Malachi (Amos 2: 6, 7ff.))). Luther ascribes the use of violence by defending oneself “by right or might” to man’s ignoring God (*LW*, 14: 215 (Selected psalms (Psalm 37: 10))). Elsewhere Luther consoles the victims of injustice that in days of trouble might makes right but eventually injustice and deception will not abide (*LW*, 14: 252 (Selected Psalms (Psalm 94: 15))).¹⁸ If you commit your business to God, be sure that your right will not remain in the darkness (*LW*, 14: 213 (Selected Psalms III (Psalm 37: 6))); *LW*, 21: 341 (The Sermon on the Mount and the Magnificat (Luke 1: 52))). God will come to the assistance of those whose rights are trampled underfoot.¹⁹

Luther’s views on the sanctity of tiny human life inspired the reformers to define abortion as an unqualified form of murder. So for example John Calvin, in his *Harmony of the Law*, commenting upon Exodus 21: 22, prohibiting the causing of death to mothers and their unborn babies, categorically states that the foetus enclosed in the womb of its mother, is already a human being. He adds that it is almost a monstrous crime to rob the foetus of the life which it has not yet begun to enjoy. “If it seems more horrible to kill a man in his own house than in a field, because a man’s

18 Luther adds: “Righteousness will arise and make its presence felt, crushing injustice and magnifying justice. Although the whole world will not accept justice, the pious will perform it anyway, doing what is honest and upright that justice may remain and injustice be put down.”

19 Luther’s commentary on Habbakuk is largely a treatise against the lack of benevolence and the doing of injustice (*LW*, 19: 161). For the implications of placing might before right, see *LW*, 19: 161-172; *LW*, 54: 273, 212. Also note Luther’s remarks in *W*, IV: 113, on abusing law as a mechanism for exerting power

house is his place of most secure refuge, it ought surely to be deemed more atrocious to destroy a foetus in the womb before it has come to light.” To Calvin, this is a crime punishable with death (Calvin, 1998: 32).

5. Conclusion

Applied to the issue of abortion and the status of tiny human life, Luther’s perspectives on love, benevolence and rights produced a number of important perspectives and impacted upon the views of the early reformers in a number of respects. Luther’s anti-materialistic views highlight the fact that man is composed not only of the body but also of the soul; at conception both body and soul are present. Because man was created by the special plan and providence of God, man has a unique place in God’s creation and His plan for the universe; man was created far superior to the rest of the living beings; man is distinguished from the other creatures by his creation in the image of God. Man was created with pure knowledge of the will of God. The divine moral law was stamped on man’s being in the order of creation; which law was given by God to Moses in the form of the First and Second Tables of the Decalogue (the normative dimension of the Decalogue) – a written record of the law of nature inscribed in man’s heart. The divine moral law also harbours a “rights” dimension insofar as the divine ordinances infused in man’s personality constitute natural rights for man to fulfil his calling and duty towards God. The most fundamental right is contained in the duty to love God and one’s neighbour and to promote social benevolence in man’s temporal existence in the world. In the context of man’s duty to protect unborn tiny human life, this means that not only are we commanded to respect the existence of unborn life, but to love it truly as oneself. Every person who wishes not to be harmed, killed or injured, and does not feel the same way about the helpless, needy and fragile life of the unborn, is certainly guilty of breaking this command. To respect the rights of the unborn requires the doing of justice; it means not to harm unborn life, to render to the unborn what is its own; to help it, to promote its welfare, to prevent damage and violence, so that the wealthy and the strong may not oppress the needy, but to punish those who harm the unborn. Promoting the good and attaining justice are only possible through the work of the Holy Spirit; they demand of everyone to discern how far the Holy Spirit has advanced His work of sanctification in us and to know how much we still fall short of the goal.

Let us look at Luther’s call for social benevolence from another angle: the annual killing of thousands of unborn human beings without intervention by the government and citizens of our country, is an indication of high

levels of violence against the needy and vulnerable in this land; it is a barometer of the insensitive attitude towards benevolence and justice in matters concerning life and death; ultimately it is a yardstick of the unholiness and impiety pervading our society and the absence of love towards those in need of special care and protection. Ultimately it is a reflection of the insensitivity towards the right to life of those tiny human beings who cannot physically protect themselves. Above all the lack of respect for tiny human life is indicative of the absence of respect and love for God and His ordinances.

Luther's commitment to the Pauline statements on ethics, particularly his views on social benevolence, also come close to the benchmarking of man's social conduct in other Christian traditions, for example the Catholic Church's rejection of abortion because it is a form of murder. The Catholic Bishops of the world at the Second Vatican Council ranked abortion, murder and infanticide as militating against "the honour of the Creator" (Bernadine, 1988: 15). Luther's emphasis on the sanctity of human life and man's duties of love towards those in need of care, is echoed in the statement by John XXIII that if we look upon the dignity of the human person in the light of divinely revealed truth, we must come to the understanding that everyone has the right to life and to the means which are necessary for the proper development of life (John XXIII, 1936: 9). Also the implications of Luther's emphasis on social benevolence towards the whole of mankind, find a parallel in the statement of the Second Vatican Council urging mankind to an inescapable duty to make ourselves neighbours of every man no matter who he is, and the condemnation of abortion by Pope John Paul II as the killing of our neighbour, and that human life has to be protected from the moment of conception, because human life is created in the image and likeness of God (Bernadine, 1988: 16).

The effects of the emphasis on man's duty to act benevolently as a platform for protecting man's rights, are not limited to Luther's views on justice only. The Catholic tradition also reflects a similar commitment towards protecting the right to life of the unborn. The Roman Catholic Church's sacred Congregation for the Doctrine of Faith, in its 1974 Declaration on Abortion, states that an unequivocal defence of the right to life of human beings must be grounded in the conviction that this right exists prior to any state's recognition of it, and that it must exist as soon as life itself comes into existence. John Paul II, in similar vein, holds that the right to life is the most fundamental right of the human being, a personal right that obliges from the very beginning and the attempt to deny

this right with respect to the unborn child is an attack upon the fundamental rights of the whole of mankind (Bernadine, 1988: 17).

Does the commitment to benevolence in the Lutheran tradition, and other Christian traditions subscribing to the Pauline perspectives on ethics, provide us with a framework or platform for engaging with non-Christians on matters dealing with ethics, such as abortion? The answer is in the affirmative: the way in which God has created man and the world, reflects His universal revelation. Not only did God inscribe in man's being His will in the form of the twofold command to love God and one's neighbour, He also gave these precepts in the form of the two Tables of the Decalogue to Moses. God's demands of justice, peace and benevolence are revealed to all men, in spite of man's Fall into sin; even unbelievers have the demands revealed in their hearts. Neighbourly love, manifested in the demand to social benevolence, applies to everybody in all areas of life, without exception. Insofar as God's universal law-based revelation applied to ethics, forms the substance of natural law, evangelicals have a platform for actively engaging with non-believers on issues related to abortion and the protection of tiny human life. Therefore, evangelicals in our country should take obedience to God's law seriously as a response of love for God who has given us grace in Jesus Christ, and seriously campaign to influence public life to greater appreciation for God's creation and the plight of those in need of our care and protection.

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