

SEVEN FACTORS OF AMBIVALENCE IN DEFINING A *JUST WAR THEORY* IN EASTERN CHRISTIANITY

Marian Gh. Simion

Boston Theological Institute, Boston College & Hellenic College, Boston, USA

E-mail: simion@bc.edu

Abstract: The Orthodox Church does not have a comprehensive Just War theory due to a complexity of factors. Despite its compelling theological record on pacifism, occasionally, the Church had derailed from pacifism and non-violent martyrdom due to political pressures or interests, as well as due to heretical attitudes in defining and identifying 'the enemy.' Thus, the purpose of this paper is to focus on seven factors of ambivalence in defining a Just War theory in Eastern Christianity, such as *comprehensive theological opposition*, *Church-State relations*, *legislative jurisdiction*, *influences of the Law of Jihad*, *The Slavic influence*, *nationalism and patriotism*, and *Canon Law's Ambivalence on the Use of Force*. **Keywords:** *Eastern Christianity, Just War theory, Canon Law, Jihad, Slavic, theological ethics.*

INTRODUCTION

Christian theologians generally agree that the Orthodox Church does not share a Just War theory in the Western sense, drafted from the perspective of the decretist principles of *jus ad bellum* and *jus in bello*. (Russell: 1975, 55-126) While abhorring war, historical records indicate that Eastern Christians have often been involved in brutal military enterprises, cases in which, on the public square, the Eastern Church failed to remain loyal to the pacifist principles of the Gospel and early Christian martyrdom. Concerned both with preserving its reputation of a martyr church, as well as with the creation of a public image of an anticipatory Samaritan, the Eastern Church made concessions to the State by occasionally endorsing its authority to use lethal force against internal and external aggression. These concessions were broad in nature and were only made out of a conscious strategic interest of both Church and State, as to protect the defenseless against any form of abuse.

The lack of consensus that Orthodox Christianity displays over the justifiable use of force emerges from several factors such as 1) *comprehensive theological opposition*, 2) *Church-State relations*, 3) *legislative jurisdiction*, 4) *influences of the Law of Jihad*, 5) *The Slavic influence*, 6) *nationalism and patriotism*, and 7) *Canon Law's Ambivalence on the Use of Force*. As a result, in order to investigate how Orthodox Christianity reconciled the pacifist principle of the Gospel with its duty to protect the weak and the vulnerable in face of violent abuse, one must start by looking into the nature of Church-State relations, Byzantine Canon Law, as well as into factors of theological, historical, and ecclesiological nature. This is because the Orthodox Church never governed in the public life, and, as a result, the Church was never in control of an army so as to draft and develop law enforcement policies, as it was the case with the Western Church following the fall of Rome under the Vandals in 410AD. (Russell: 1975, 34-35, 316) These duties simply fell under the jurisdiction of the State, following a

specific legislative procedure. (Mousurakis: 2003, 410ff) As a result, when dealing with the issue of internal or external use of force, the Orthodox Church acted exclusively from an advisory perspective. (Miller: 1995, 10)

1. COMPREHENSIVE THEOLOGICAL OPPOSITION

In its history, the Eastern Church offered a comprehensive theological opposition to war. Highly influential Greek and Latin Church Fathers, who lived and wrote during the formative years of Christianity, have strongly criticized military enterprises of the State, while trying to maintain the consciousness of guilt and penance for soldiers.

The most significant authors and theological works of Early Christianity which opposed war include Tatianus (*Oratio ad Graecos*), Athenagoras of Athens (*Πρεσβεία περί των Χριστιανών*) Tertullian (*De Idololatria*, XIX), Origen (*Contra Celsum* V, 33), Clement of Alexandria (*Παιδαγωγός* I, 12), Lactantius (*Divinae Institutiones* I, 48), Basil the Great (*Homily to Psalm LXI*, 4), Gregory of Nyssa (*On the Beatitudes*, *Homily VII*), John Chrysostom and others. Tatianus openly equated war with murder. Incriminating the Greek pagan religions as belligerent, he accuses Apollo's worshippers for entertaining this cruel behavior, while Apollo was called "The Symbol of murder" (Σύμβουλον τών φόνων). (Tatian: 2004, 50) At the same time, while Athenagoras of Athens maintained that "Christians cannot endure to see a man put to death even justly," (Athenagoras: 2004, 147; Cadoux: 1919, 50) Tertullian insisted that when Peter cut Malchus' ear in Gethsemane, Jesus cursed the works of the sword for ever after. (Tertullian: 2004, 708; Cadoux: 1919, 51) Furthermore, the highly prominent work, *Didascalia Apostolorum* (Chapter XVIII), bans the Church from receiving donations "from any Roman officials, who are defiled with wars and have shed innocent blood without trial [my emphasis]."

Following a detailed literature review of the early Christian references to war, John C. Cadoux concludes that

the early Christian writers clearly indicate, “how closely warfare and murder were connected in Christian thought by their possession of a common element – homicide. [...] The strong disapprobation felt by Christians for war was due to its close relationship with the deadly sin that sufficed to keep the man guilty of it permanently outside the Christian community.” (Cadoux: 1919, 57) In terms of relevance of these writings throughout the development of the early Church, another prominent church historian, Roland Bainton, concluded that, “the history of the Church is viewed by many as a progressive fall from a state of primitive purity, punctuated by reformations which seek a return to a pristine excellence. The first church fathers are thus held to have been the best commentators, and if the early Church was pacifist then pacifism is the Christian position.” (Bainton, 1979, 66) Such attitude towards the relevance of the Early Church Fathers is the norm in Eastern Christianity, where any acceptable theological work is expected to be consonant with these early precepts, so as to conform to this ‘primitive purity.’

Another significant aspect was the negative attitude towards the weakness of the human body, which was viewed as a source of spiritual failure. This attitude started during the period of anti-Christian persecutions, and grew within the monastic circles. (Meyer: 1950, 5, 60-61) Thus, the “war” against the human passions had managed to transfer the concept of warfare from a real life situation to an internal human passion. As a result, one no longer had to wage war against the invader, but against his own passions stirred by the Devil, the true invisible enemy. This not only created disapproving attitudes towards the physical war, but led to an increased miscommunication between real life situations, and spiritual goals. During the Ottoman period, Orthodox elders known as the *Kollyvades* (Ware: 1993, 100) revived in a way the early tradition of the Desert Fathers by collecting seminal spiritual works on prayer and later incorporated them into a large collection known as *Philokalia*. (Palmer, Sherrard, Ware: 1979, 1-18) *Philokalia*, in conjunction with the highly influential theological work of Lorenzo Scupoli, *The Unseen Warfare*, (Kadloubovsky, Palmer: 1952) served as mechanisms of discouragement against any spirit of uprising against their Muslim oppressors.

2. CHURCH-STATE RELATIONS

In the history of Church-State relations, the Orthodox Church had been subject to a variety of governing systems which manifested attitudes ranging from persecution to power sharing. (Floca: 1990, Vol.2, 279-307; Baconsky: 202, 354) While in the West, the destruction of Rome in 410 by the Visigoths left a Church immature and vulnerable to embracing claims for political governance, in the East, the Church faced this political vacuum only a thousand years later, when the Byzantine Empire fell under the Ottomans in 1453. As the Western Church took upon itself the duty of governance, it had no option but to accept the concept of Just War, for purpose of defending its community *externally* against the

barbarians and *internally* against the lawbreakers. (Corcoran: 2000, 284-324) Following Charlemagne’s dramatic changes in the Western Roman Empire, the medieval *decretists* and *decretalists* (Russell: 1975, 55-212) had been successful in drafting specific policies on conditions related to the use of force, as well as how and to what extent clergy ought to be active participants in military campaigns. The Eastern Church, on the other hand, disposed of its responsibilities for policing and defending the community because it never faced a vacuum of imperial power. As a result, the Church has generally dangled between imposing its moral will within the State – under permissible conditions – while being subjected to State oppression, whenever its principles posed a threat or discomfort to the policies of the State. (Simion: 2007, 93-95)

In Eastern Christianity, during the first fifteen centuries, the Byzantine model of Church-State separation implied that each institution had specific responsibilities towards the public. While, according to the “principle of symphonia” coined by Emperor Justinian (527-565) (Koyzis: 1993, 267-289) the Church was entrusted with the spiritual salvation of the community, the State was entrusted with its material well-being, including internal policing and external defense. As a result, while the Church never made any decision about war, theologians approached this from an advisory perspective, ensuring that the State, in its alleged concern with the defense of the community, does not overstate its role. Basically, the Church made it un-canonical for its clergy to take government jobs particularly in the military (White: 2005, 38), as their duty was to proclaim the Gospel. A wide range of canons impose deposition of clergy involved with “worldly affairs.” These include the following *Apostolic Canons* (Canon VI; Canon LXXXI; Canon LXXXIII – forbidding clergy participation in public offices and military); the canons adopted by the *First Ecumenical Council* (Canon XII), *Fourth Ecumenical Council* (Canon III, Canon VII - forbidding married clergy and monks to participate in public offices and military); *Local Council of Sardica*: Canon VIII (forbidding clergy to go before a civil magistrate), *Local Council of Constantinople* 861AD: Canon XI. (Cummings: 1957)

3. LEGISLATIVE JURISDICTION

In Eastern Christianity, the codification of Civil Law and Canon Law took place during the same period of time, and as parallel projects. (Schaff: 2004, 24-35)

Under the Byzantine State, the Canon Law was part of the Civil Law, and it incorporated into collections such as *Nomocanons*, *State Codex-es*, *Novelae* (laws regulating dogmatic decisions of the Church), *Institutiones*, *Ecloga*, *Prohiron*, *Epanagoga*, *Basilicalae*, *Hexabiblos*, etc. (Floca: 1990, Vol.1, 70-150) With bishops acting as public judges (Floca: 1990, Vol.2, 299-300), the Church ruled over aspects of family law (Cummings: 1957, 977-1007), while the question of public defense was under the sole legislative jurisdiction of the State. (Viscuso: 1995) Although somewhat overstated,

this model of legislative jurisdiction was also implemented by Prince Vladimir in Russia, following his conversion to Orthodox Christianity, as he established two courts, one religious and one secular. Based on this dual court system, a plaintiff or a defendant had the right to choose between a bishop as president of the court, or a lay presiding judge. As Dimitri Pospelovsky writes, “[t]he ecclesial court received jurisdiction over all moral transgressions of the laity: matrimonial and divorce matters, polygamy, blasphemy, foul language, matters related to dowry, kidnapping of brides, rape, property fights within families.” (Pospelovsky: 1998, 25-26)

Under the Ottomans, the policy of *millet* (Ware: 1993, 89; Clogg: 1992, 10-11) reduced the applicability of Canon Law to the Christian community, and it was maintained at the price of heavy taxation. (Wheatcroft: 1995: 72-74; Runciman: 1985; Ware: 1993, 89) The legal jurisdiction over internal and external defense fell under the Ottoman State. (Ware: 1993, 88) The public law of most medieval semi-autonomous states subjected to the Ottoman rule included Canon Law as well, and was closer to the Byzantine model. (Păcurariu: 2002, 78-189) Some of the widely used collections included *Ton aghion Sinodon, Nea Sinatroisis* (1761), *Sillogi Panton ton ieron ke tion kanonon* (1787); *Kontakion* (1798), *Pidalion* (1800); *Athenian Syntagm* (1852); *Canonical Regulations*, and others. (Floca: 1990, Vol.1, 122-150, Vol.2 304-305) With the creation of nation states, and with the secularization process of the mid-nineteenth century, the public law eliminated completely the jurisdictional claims of the Canon Law in public life. Consequently, while Canon Law remained fundamental for the new statutes of national churches, in the public life, its weight was reduced to mere ethical guidelines. The Church lost its legislative power over issues of family law, and the quest of compliance with the stipulations of Canon Law largely became a matter of personal reputation in the community. (Păcurariu: 2002, 97ff; Floca: 1990, Vol.2, 305-306)

4. INFLUENCES OF THE LAW OF JIHAD

With the Islamic military advances in the East, both the Church and the State had to join forces not only in fighting the aggressors, but also in learning the rules of the enemy, particularly when attempting to negotiate peace agreements. (Bonner: 1992, 5-31) As a result, it became mandatory for the Church to doctrinally engage its counterpart on the enemy’s side, who, in terms of Saint John of Damascus, were nothing more than Christian heretics. For the Muslims such dialogue was acceptable only in contexts of truces permissible under the conditions imposed by *dar al sulh* (the house of treaty.) (Khadduri: 1969; Esposito 2002; Schacht: 1964, 148)

Situated at the Arab-Byzantine frontier (*thughūr*), two of the eight century Arab scholar-ascetics Abū Ishāq al-Fazārī and Abdallah al-Mubārak are amongst the earliest and perhaps the most influential Muslim scholars to debate the laws of war in terms of *siyar* and *jihād*. (Peters: 1996) What

is relevant in their debates is the role of the Savior. While in the Byzantine warfare, war was conducted on behalf of the community (Empire), and not on behalf of the leader (Jesus Christ), in the case of this emerging Islamic jurisprudence, war was to be conducted on behalf of the leader (Prophet Muhammad and his legitimate successor), case in which, the leader has an overriding authority over the community. Based on the imitation principle, both scholars agree to use Prophet Muhammad’s authority and judgment as typos when faced with the dilemma of employing military force and verbal persuasion. Thus, Abū Ishāq al-Fazārī (Cook: 2000, 66; Murayi: 1985, 67-70) in his *Kitāb al-siyar* and Abdallah al-Mubārak in his *Kitāb al-jihād* debated whether it was the duty of the community *sīra*, where the dominant cognitive category is *εκκλησία*, or of the ruling authority, *sunnah*, where the dominant cognitive category is *νόμος*, to decide when to engage in a war. (Bonner: 1992, 5-6) While al-Fazārī pondered over *sīra*’s priority, al-Mubārak insisted over the issue of personal merit, meant to favor the leader’s authority – a rather poignant reference to the emerging Sunni-Shia split over the laws of war. (Bonner: 1992, 8ff)

On the Russian front, during the Tatar/ Mongol yoke that lasted since 1238 until 1480 (Pospelovsky: 1998, 15), the Russians often had to make war and peace with their Muslim enemies (Meyendorff: 1966, 23), particularly due to the cruelty of the Tatar tax collectors, *baskaks*. (Pospelovsky: 1998, 37)

A *first* concrete example that displays a possible influence of the law of jihad over Russian Orthodox justification of war is the alleged conversation that took place between Constantine-Cyril and Caliph Mutawakkil (Browning: 1964, 8) in 851 in the context of a Christian diplomatic mission to the Saracenes. (Dvornik 1970, 286-87; Goodin: 2005; JBC: 2000) A *second* case of suspected influence of jihad was recorded in the mid-960s, in the context of a dispute between the Patriarch of Constantinople, Polyeukos, and Emperor Nikephoros Phokas. To further glorify his heroes, the emperor demanded to have his soldiers, who had been killed on the battlefield, canonized as martyrs and declared saints of the Church. The Patriarch successfully opposed him by citing Saint Basil’s Canon 13, with the interpretation that the soldiers killed in the battle might have been guilty of violating the commandment ‘Thy shall not kill’ (Exodus 20: 13), and thus committed murder. (Erickson: 2001, 48-58) While this example of jurisprudence relates more to the relationship between Church and State, it nevertheless reveals that this view of martyrdom was understood by the Byzantine emperor as an active path of defending faith through war rather than as a passive act specific to the first three centuries. As a result, the emperor’s understanding of martyrdom was highly similar to the concept of martyrdom ‘in the path of Allah,’ whereby one sacrifices oneself for missionary purpose. (Khadduri: 1969, 55-82) A *third* example of a possible influence of jihad over Eastern Christianity is the presence of the service of blessing soldiers and weapons in

the Slavo-Byzantine rite, particularly in the context of the final blessing bestowed upon the soldier, which says, “Let the blessing of Triune God, Father, Son and Holy Spirit, come down on and remain upon these weapons and those who carry them *for the protection of the truth of Christ* [emphasis added], Amen.” From a historical perspective, it is only common sense to assume that this prayer must have been invoked for the purpose of protecting “the truth of Christ,” in the context of Islamic practice of forced conversion of its subjects. Otherwise, the use of expression “truth of Christ” would be a plain cynical retaliation against the principle of turning the other cheek. A *fourth* possible case of mutual influence between jihad and Eastern Christianity is the concept of salvation through spiritual war. This is visible in the second millennium’s literature of *Philokalia* as well as in the concept of “The Greater Jihad,” manifested as an inner struggle for spiritual ascent.

5. THE SLAVIC INFLUENCE

With the Christianization of the Slavs a new worldview started penetrating Eastern Christianity. In terms of doctrine of defense, the inherent dualistic culture of the Slavs, deriving perhaps from the *Belobog-Chernobog* antagonism (Simonov: 1997, 4), has unavoidably led to a dualistic Christian worldview, which in combination with Christian asceticism, saw good and evil as identifiable with spirit and mater. This dualistic worldview often emerged into heretical movements, which either viewed human body as evil, such as the Bogomils, the Khlystys, and the Skoptzys (David: 1987, 64-79), or simply demonized political establishments, as it is the case with the Bogomils (Obolensky: 1948) and the Raskol anarchists. Due to this inherent dualism, the Slavs seem to have left a hefty influence over the justification of war, which strongly contradicted the pacifistic nature of the Gospel. In a sociological sense, dualism favored not only a *us-versus-them* attitude, but it proceeded to the demonization of adversaries and justification of violence. This affected the Orthodox Churches of Slavic tradition in the way that, at a doctrinal level, one could find quasi-orthodox 'conversations' such as the one between Constantine-Cyril and Caliph Mutawakkil (Goodin: 2005; JBC: 2000), while in terms of worship; one can find liturgical anomalies such as the creation of the *Service for Blessing Weapons*. (Bos, Forest: 1999, 120-121)

6. NATIONALISM AND PATRIOTISM

Challenging Christian universalism – whereby humanity is created in the image of God (Genesis 1:26-27), and that “there is neither Jew nor Greek” (Galatians 3:28) – nationalism came as a messianic political philosophy claiming that one can be ‘saved’ from the dangers of this world only if belonging to a nation organized itself into a state. Nationalism emerged as a political ideology in the aftermath of the Peace of Westphalia (1648), and was built on the statist model proposed by Hugo Grotius in his 1625 *De Jure Belli ac Pacis*, reaching its peak during the nineteenth and the twentieth centuries. By

eliminating the authority of the Church of Rome, nationalism embraced patriotism as a new form of loyalty, this time to a political unit rather than to the Church. (Falk: 2001, 37) As a sentiment of love and loyalty to the “fatherland”, patriotism was built on a philosophy of defense. Adopted by Christianity from the Roman culture which glorified those who died for the Roman *patria* (Russell: 1975, 8) as well as in light of the "divinely endorsed" Old Testament wars (Cadoux: 1919, 171), patriotism was presented by Ambrosius of Milan as an argument of protecting orthodoxy against heresy. While Ambrosius saw the defense of *patria* as coinciding with the defense of the Christian faith (Bainton: 1979, 90), Augustine claimed that the soldier who killed a combatant enemy did not violate the commandment ‘shall not kill,’ thus eliminating the sentiment of guilt for human slaughter. (Augustine: 2004, 15)

Created in Western Europe as limited to the political unit of nation-state, nationalism was soon exported into Eastern Europe where it developed new depths of political dualism, thus dividing the Orthodox Christians by lines of history, language and ascribed territories. If until then, the Ottoman Sharia law (under which most of the Orthodox Christians lived), offered an *a priori* ghetto recognition of a unified Christian community (*Rum millet* or “Roman Nation”) (Roudemotof: 2001, 68), nationalism divided this Christian community between smaller autonomous and autocephalous Orthodox Churches. During this time, the Orthodox theologians have generally been keen in trying to ensure that the mission of the Orthodox Church remained focused on the salvation of people of all nations and races. (Enăceanu: 1877, 487-501)

While selected Orthodox theologians expressed reluctance over nationalism for reasons emerging from the traditional Christian universalism, the strongest and yet ineffective opposition came from the Ecumenical Patriarchate, as numerous high-ranking Greek bishops and metropolitans lost significant administrative privileges in churches that became autocephalous. At the *Local Synod of Constantinople 1872* – a synod ignited by a unilateral establishment of a separate episcopate by the Bulgarian community in Constantinople (Bos, Forest: 1999, 130) – both nationalism and racism were condemned in the strongest terms. This Synod condemned ethno-phyletism by stating, “We renounce, censure and condemn racism, that is racial discrimination, ethnic feuds, hatreds and dissensions within the Church of Christ, as contrary to the teaching of the Gospel and the holy canons of our blessed fathers which ‘support the holy Church and the entire Christian world, embellish it and lead it to divine godliness.’” (Bos, Forest: 1999, 130) At the same synod, a special commission, set up to investigate nationalism and racism, concluded that, “in the Christian Church, which is a spiritual communion, predestined by its Leader and Founder to contain all nations in one brotherhood in Christ, racism is alien and quite unthinkable. Indeed, if it is taken to mean the formation of special racial churches, each accepting all the members of its particular race,

excluding all aliens and governed exclusively by pastors of its own race, as its adherents demand, racism is unheard of and unprecedented. All the Christian churches founded in the early years of the faith were local and contained the Christians of a specific town or a specific locality, without racial distinction. They were thus usually named after the town or the country, not after the ethnic origin of their people.” (Bos, Forest: 1999, 130)

7. CANON LAW’S AMBIVALENCE ON THE USE OF FORCE

In its legal tradition, the Orthodox Church had consistently used a canonical procedure which directly or indirectly raised the question of using defensive force. This canonical procedure defined the nature of offense, while serving as a jurisprudential basis for the ethics of law enforcement. As the canonical tradition of the Orthodox Church was based on compassion and adaptability rather than on penitence, the canons used in this procedure served largely as advisory guidelines, rather than as effective laws applicable in a society. (Yet, this was not the case with the clergy, who were much more scrutinized by the bishops or synods, case in which the canons related to the use of defensive force functioned as effective institutional policies, enforceable at the discretion of the ecclesiastical judicial process.)

From an institutional perspective, this canonical procedure refers to the *internal* self-defense of the members of a society against lawbreakers, and to the *external* self-defense of a State against a foreign invasion. In terms of *internal* self-defense, the Church favors a more penitential perspective due to the fact that the offender can be identified as an individual endangering the life of the community. As far as *external* self-defense is concerned, the Orthodox Church seems to be more restrictive in endorsing war for the very fact that in a war two allegedly innocent soldiers are forced into a situation of imposing death penalty over each other, even in the absence of guilt.

Never organized in a statist model, in its history, the Orthodox Church had to make concessions to the State for strategic and pastoral reasons. Acting on moral grounds, the procedure used by the local Orthodox Churches, when in limited situations they sanctioned the use of defensive force, was mainly *consultative* with a *concessional* component. The *concessional component* appeared mainly when the State expected (even coerced) the Church to offer its endorsement for military action, and not when the Church enjoyed full freedom and autonomy, thus acting as a moral factor on the basis of pragmatism and ethics of non-violence.

The *consultative* nature the canonical procedure is designed to maintain the influence of the Church within the State, serving as an interventional mechanism that appeals to the consciousness of the soldiers on the battlefield. (Goodin: 2005) This procedure appears to have been followed at local councils, in pastoral decisions with canonical standing (e.g. canonical letters sent by local bishops), as well as in the jurisprudence offered by the canonists during times of war.

(MacCoull: 1995, 106-113)

This consultative procedure is *objective* and *subjective* in nature. The *objective* nature is reflected in the mutual interest of both Church and State, and it is visible in cases of defensive wars such as those fought by the Byzantines against the Arians, the Monophysites, and against the Muslims, as well as "defensive" wars fought by the religious nationalists. The *subjective* nature is reflected in cases of pastoral advice with canonical standing, as well as in writings of spiritual formation, when the Orthodox Church had to accept complete submission to the worldly sovereignty of the oppressor, refused to challenge its worldly authority, and fully embraced martyrdom. In this instance the oppressor represented ‘the threatening other’ – be it the State itself – which must be feared and obeyed (Romans 12). This subjective consultative procedure seems to have been used when the Church operated under oppressive regimes (Islam, totalitarianism), and it was based on the concepts of non-violent resistance and martyrdom. Therefore, this subjective approval of the oppressor’s use of violence is only apparent (Shenouda: 1997, 14), and it is often used at the risk of demonizing the oppressor.

THE QUEST OF MILITARY INTERVENTION

Two of the most widely cited canons on the use of military intervention, which had been universally adopted by the Orthodox Church include *Epistle of Saint Athanasius to Monk Ammun*, which favors the imposition of death penalty by the soldiers over their combatant enemies, and St. Basil’s *Canon 13*, which forbids communion to soldiers who killed combatant enemies.

The *Epistle of Saint Athanasius to Monk Ammun* unambiguously states that, “...it is not right to kill, yet in war it is lawful and praiseworthy to destroy the enemy...” (Cummings: 1957) This canon represents a clear illustration of an objective concession made by the Church in order to impose conformity with orthodoxy, as well as to sustain the morale of the Christians from North Africa, struggling to survive the forced conversion to Islam.

On the other hand, Saint Basil the Great’s *Canon 13* states that, “Our Fathers did not consider murders committed in the course of wars to be classifiable as murders at all, on the score, it seems to me, of allowing a pardon to men fighting in defense of sobriety and piety. Perhaps, though, it might be advisable to refuse them communion for three years, on the ground that they are not clean-handed.” (Cummings: 1957; Bos, Forest: 1999; Viscuso: 1995) In this canon, Saint Basil challenges an apparent status quo, whereby the Church, on the basis of Saint Athanasius’ canonical letter, silently sanctioned the State’s use of armed defensive violence. To keep the Church and the State aware of their moral responsibilities, Saint Basil considered war as a sinful act, even when conducted for defensive purpose. Therefore, the consciousness of sin and guilt remained a necessary process for the purpose of spiritual salvation of soldiers who killed combatant enemies.

Patrick Viscuso, in his study “Christian Participation in Warfare,” expands over the debate between Saint Athanasius’ *Epistle of Saint Athanasius to Monk Ammun* and Saint Basil’s *Canon 13*, in light of three prominent Byzantine canonists John Zonaras (12th century), Theodore Balsamon (c.1130-95), and Matthew Blastares (c.1335). What is interesting about this jurisprudence analyzed by Viscuso is its timing, as the Byzantine Empire was struggling to survive the Islamic aggression, the Crusades and the Slavic anarchy in the Balkans.

Both John Zonaras and Theodore Balsamon counseled against enforcing Saint Basil’s opinion to forbid communion by citing Saint Athanasius’ canonical letter which approved (even praised) the killing of enemies during times of war. (Rhalles, Potles: 4:132-133) While Zonaras stated that, “I think that this counsel of St. Basil never was in force” (Rhalles, Potles: 4:132), Balsamon commented that Canon 13 “is not in force, because, if it were established, soldiers, who are engrossed with successive wars and slaying the enemy, would never partake of the divine Sanctified Elements. Wherefore, it is unendurable.” (Rhalles, Potles: 4:133)

Nevertheless, Matthew Blastares (c.1335), in his encyclopedic canonical work *The Alphabetical Collection*, argued that Saint Basil’s counsel for exclusion from communion was correct and should be enforced by using *theological, scriptural* and *historical* arguments.

Blastares’ *theological* argument emerges from the idea that human violence occurs due to uncontrolled human passions which are of *necessity* and *choice*. While those passions united to nature and necessity do not involve choice, those passions supported by nature and deliberate choice imply the existence of human reasoning. Therefore, when the passions of rational nature are subjected to the passions of irrational nature, both passions undermine spiritual salvation – hence the need for purification prior to receiving communion. (Viscuso: 1995, 35-36)

The *scriptural* argument used by Blastares against Zonaras and Balsamon is based on Luke 9:55, which refers to God’s refusal to allow David to build the temple because of his murder of his enemies. Even when in the Old Testament Israel conducted wars with a divine mandate, the soldiers who took part in killing were required to remain outside the camp for seven days to purify. (Viscuso: 1995, 36-37)

To further contradict the opinion of his predecessors, Blastares uses a *historical* argument reflected in the case of a 10th century dispute between Emperor Nikephoros Phokas and Patriarch Polyeukos. As the Emperor attempted to persuade the Church to “establish a law that those who fell during wars be honored equally with the holy martyrs, and be celebrated with hymns and feastdays,” (Rhalles, Potles: 6:492) the Church responded by saying, “how is it possible to number with the martyrs whose who fell during war, whom Basil the Great excluded from the Sanctified Elements for three years since their hands were not clean?” (Rhalles, Potles: 6:492) In light of this event, Blastares

mentions that at this synod there were several priests and bishops who “confessed... that they fought with the enemy and killed many of them,” and that the synod ordered them “to cease from the ministry.” (Rhalles, Potles: 6:492; Viscuso: 1995, 37-39)

CONCLUSION

In conclusion, one could argue that the Orthodox Church has a rather ambiguous record in its endorsement of defensive violence. This sense of ambiguity can only be clarified in light of the practice of spiritual exercise (ασκήσεις), whereby the members of the Church fail then rise again. By remaining loyal to the teachings on non-retaliation, inherent into the Gospel (Matthew 5:38-42), the Orthodox Church made strong efforts to resist temptations for an unanimous justification of violence, and an adoption of the Just War theory.

SOURCES

- Athenagoras of Athens *A Plea for the Christians* (Ch. 35) in Alexander Roberts & James Donaldson (Eds.) *ANF Vol.2* Hendrickson Publishers: Peabody, 2004
- Augustin *City of God* (Ch. 22) in Philip Schaft (Ed.) *NPNF Vol.2* Hendrickson Publishers, Peabody, MA 2004
- Baconsky, Teodor „Decadența etatismului și renașterea ortodoxă” in Ioan Ică, Jr. and Germano Marani (Eds.) *Gândirea Socială a Bisericii: fundamente, documente, analize, perspective* Deisis Press: Sibiu, 2002
- Bainton, Roland H. *Christian Attitudes Toward War and Peace: A Historical Survey and Critical Re-evaluation*, Abingdon, Nashville (ninth printing) 1979
- Bonner, Michael “Some Observations Concerning the Early Development of Jihad on the Arab-Byzantine Frontier” in *Studia Islamica*, No.75 / 1992
- Bos, Hildo & Jim Forest *For the Peace from Above: An Orthodox Resource Book on War, Peace and Nationalism* Syndesmos Press: Athens, 1999
- Browning, Robert “Byzantine Scholarship” in *Past and Present* No.28 /July 1964/ Oxford University Press, 1964
- Cadoux, John *The Early Christian Attitude To War*, Headley Bros Publishers, LTD: London, 1919
- Clogg, Richard *A Concise History of Greece* Cambridge University Press: Cambridge, 1992
- Cook, Michael *Commanding Right and Forbidding Wrong in Islamic Thought* Cambridge University Press: Cambridge, 2000
- Corcoran, Simon *The Empire of the Tetrarchs, Imperial Pronouncements and Government AD 284-324*. Oxford University Press: Oxford, New York, 2000
- Cummings, D. (tr.) *The Rudder (Pedalion)* The Orthodox Christian Educational Society: Chicago, 1957
- David, Petru I. *Călăuză Creștină*, Editura Episcopiei Ortodoxe: Arad, 1987
- Dvornik, Francis *Byzantine Missions among the Slavs: Saint Constantine-Cyril and Methodius* Rutgers University Press: New Brunswick, New Jersey, 1970
- Enăceanu, Ghenadie “Biserica și Societatea” in *Biserica*

- Ortodoxă Română* Anul 3. No.11, 1877
- Erickson, John H. "An Orthodox Peace Witness?" in Jeffrey Gros and John D. Rempel *The Fragmentation of the Church and Its Unity in Peacemaking*, William B. Eerdmans Publishing Company: Grand Rapids, MI, Cambridge, 2001
- Esposito, John L. *Unholy War: Terror in the Name of Islam* Oxford University Press: Oxford, New York, 2002
- Falk, Richard *Religion and Humane Global Governance* Palgrave Macmillan Press: New York, 2001
- Floca, Ioan N. *Drept Canonic Ortodox, Legislație și Administrație Bisericească*, Vol. 1-2 Editura Institutului Biblic și de Misiune al Bisericii Ortodoxe Române, București, 1990
- Goodin, David K. "Just War Theory and Eastern Orthodox Christianity: A Theological Perspective on the Doctrinal Legacy of Chrysostom and Constanine-Cyril" in *Theandros: An Online Journal of Orthodox Christian Theology and Philosophy* volume 2, Number 3, Spring 2005
- JBC: Jubilee Bishops' Council of the Russian Orthodox Church, *The Orthodox Church and Society: The Basis of the Social Concept of the Russian Orthodox Church* Belleville, Michigan: St. Innocent / Firebird Publishers, 2000
- Kadloubovsky, E. & G.E.H. Palmer (tr.) *Unseen Warfare: being the Spiritual Combat and Path to Paradise of Lorenzo Scupoli as edited by Nicodemus of the Holy Mountain and revised by Theophan the Recluse* Faber and Faber Limited: London, 1952
- Khadduri, Majid *War and Peace in the Law of Islam*, The John Hopkins Press: Baltimore, London, 1969
- Koyzis, David T. "Imaging God and His Kingdom: Eastern Orthodoxy's Iconic Political Ethic" in *The Review of Politics*, Vol. 55, No. 2/ Spring, 1993
- MacCoull, Leslie S.B. "When Justinian Was Upsetting the World: A Note on Soldiers and Religious Coercion in Sixth-Century Egypt" in Timothy S. Miller and John Nesbitt (Eds.) *Peace and War in Byzantium: Essays in Honor of George T. Dennis, S.J.*, The Catholic University of America Press: Washington, D.C., 1995
- Meyendorff, John *The Orthodox* Light and Life Publishing: Minneapolis, 1966
- Meyer, Robert T. (tr.) *St Athanasius: The Life of Saint Antony* The Newman Press: Westminster, MD, 1950
- Miller, Timothy S. and John Nesbitt *Peace and War in Byzantium: Essays in Honor of George T. Dennis, S.J.* Catholic University of America: Washington, DC, 1995
- Mousourakis, George *The Historical and Institutional Context of Roman Law*, Ashgate Publishing Company, Hampshire, 2003
- Muranyi, 'Das M. *Kitāb al-Siyar* von Abū Ishāq al-Fazārī, *Jerusalem Studies in Arabic and Islam* / 1985
- Obolensky, Dimitri *The Bogomils: A Study in Balkan Neo-Manichaeism*; Cambridge University Press; Cambridge, 1948
- Palmer, G.E.H, Philip Sherrard and Kallistos Ware *Philokalia*, vol.1 Faber and Faber: Boston, 1979
- Păcurariu, Mircea *Istoria Bisericii Ortodoxe Române*, Editura Dacia: Cluj-Napoca, 2002
- Peters, Rudolph *Jihad in Classical and Modern Islam: A Reader* Markus Wiener Publishers, Princeton, 1996
- Pospielovsky, Dimitri V. *The Orthodox Church in the History of Russia* St. Vladimir's Seminary Press: Crestwood, NY, 1998
- Rhalls, Georgios and Michael Potles Σύνταγμα των Θείων Ίερων κανόνων 4:132-133, as quoted by Patrick Viscuso "Christian Participation in Warfare: A Byzantine View" pp.33-40 in Timothy S. Miller & John Nesbitt (Eds.) *Peace and War in Byzantium Essays in Honor of George T. Dennis, S.J.*, Catholic University of America Press: Washington, DC, 1995
- Roudemotof, Victor *Nationalism, Globalization, and Orthodoxy: The Social Origins of Ethnic Conflict in the Balkans* Greenwood Press: London, 2001
- Runcimann, Steven *The Great Church in Captivity: A Study of the Patriarchate of Constantinople from the Eve of the Turkish Conquest to the Greek War of Independence*, Cambridge University Press: Cambridge, UK, 1985
- Russell, Frederick H. *Just War in the Middle Ages*, Cambridge University Press: Cambridge, 1975
- Schacht, Joseph *An Introduction to Islamic Law* Oxford: At the Clarendon Press, 1964
- Schaff, Philip "Excursus on the History of the Roman Law and its Relation to the Canon Law" in *The Seven Ecumenical Councils* in NPNF Second Series, Vol.14 Hendrickson Publishers: Peabody, 2004
- Shenouda III, H.H. Pope *Contemplations on the Ten Commandments" Vol.3 The Sixth Commandment* Coptic Orthodox Patriarchate: Cairo, 1997
- Simion, Marian Gh. "Beyond Huntington's Gate: Orthodox Social Thinking for a Borderless Europe: Preliminary Reflections" in Daniel Jeyaraj, Robert Pazmino and Rodney Petersen *Antioch Agenda*, ISPSK: New Delhi, 2007
- Simonov, Pyotr *Essential Russian Mythology: Stories that Change the World*, Thorsons, An imprint of HarperCollins Publishers: San Francisco, 1997
- Tatian *Address to the Greeks* (Ch. 22) in Alexander Roberts & James Donaldson (Eds.) *ANF Vol.2* Hendrickson Publishers: Peabody, 2004
- Tertullian *On Patience* (Ch. 3) in Alexander Roberts & James Donaldson (Eds.) *ANF Vol.3* Hendrickson Publishers: Peabody, 2004
- Viscuso, Patrick "Christian Participation in Warfare: A Byzantine View," in Timothy S. Miller & John Nesbitt (Eds.) *Peace and War in Byzantium Essays in Honor of George T. Dennis, S.J.*, Catholic University of America Press: Washington, DC, 1995
- Ware, Timothy *The Orthodox Church* Penguin Books: London, 1993
- Wheatcroft, Andrew *The Ottomans: Dissolving Images*: Penguin Books, London, New York, 1995
- White, Grant "Orthodox Christian Positions on War and Peace" in Semegnish Asfaw, Guillermo Kerber, & Peter Weiderud (Eds.) *The Responsibility to Protect: Ethical and Theological Reflections* WCC Publications: Geneva, 2005